IMT Nuremberg Archives

H – 1175

International Court of Justice

H1175 - 0002

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V.B. Voelkischer Beobachter
F.Z. Frankfurter Zeitung
D.D.P. Dokumente der Deutschen Politik
R.G.Bl. Reichsgesetzblatt
N.S.K. Nationalsozialistische Korrespondenz

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US Exhibit

Chief 7/8/46

TRANSLATION OF DOCUMENT D-138
OFFICE OF U. S. CHIEF OF COUNSEL

Translation in full of decree signed by HITLER, dated 27 July 1934, giving powers to HESS on law-giving.

TRANSLATION

COPY

Beyreuth, 27 July 1934

The Reich Chancellor.

Rk. 6798

To the Reich Ministers.

I decree that the Deputy of the Führer, Reich Minister HESS, will have the capacity of a participating Reich Minister in connection with the preparation of drafts for laws in all Reich administrative spheres.[1] All legislative work is to be sent to him when it is received by the other Reich Minister concerned. This also applies in cases where no one else participates except the Reich Minister making the draft. Reich Minister HESS will be given the opportunity to comment on drafts suggested by experts. (lit. "REFERENTENENTWURFEN").

This order will apply in the same sense to legislative ordinances. The Deputy of the Führer in his capacity of Reich Minister can send as representative an expert on his staff. These experts are entitled to make statements to the Reich Ministers on his behalf.

(Sgd) Adolf HITLER.

Translator's note: - 1. Lit. "Reichsressorts"

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-138

I, PAUL W. FREEDMAN, S/Sgt, 33799122, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. D-138.

PAUL W. FREEDMAN
S/Sgt
33799122

TRANSLATION / TRANSLATION OF DOCUMENT D-139
OFFICE U. S. CHIEF OF COUNSEL

2

TRANSLATION

The Deputy of the Fuhrer

NATIONAL SOCIALIST GERMAN WORKERS PARTY.

Munich, Brienner Street 45
Telephone: 54901 and 53844.

9 October 1934

SO/Sch

REICH MINISTRY FOR THE ENLIGHTENMENT OF THE PEOPLE AND PROPAGANDA. 12 Oct 34 Nm, I1400/9. 10. Encls.

To the Reich Minister for the Enlightenment of the People and Propaganda

BERLIN, W.8.
Wilhelmsplatz 8-9.

Reference: Participation in Legislation of the Reich.

By a decree of the Fuhrer dated 27 July 1934 I have been granted the right to participate in the legislation of the Reich as regard both formal laws and legal ordinances. This right must not be rendered illusory by the fact that I am sent the drafts of laws and decrees so late and am then given a limited time, so that it becomes impossible for me to deal with the material concerned during the given time. I must point out that my participation means the taking into account of the opinion of the NSDAP as such, and that in the case of the majority of drafts of laws and decrees, consult with the appropriate departments of the Party before making my comment. Only by proceeding in this manner can I do justice to the wish of the Fuhrer as expressed in the decree of the Fuhrer of 27 July 1934.

I must therefore ask the Reich Ministers to arrange that drafts of laws and decrees reach me in sufficient time. Failing this, I would be obliged in future to refuse my agreement to such drafts from the beginning and without giving the matter detailed attention, in all cases when I am not given a sufficiently long period for dealing with them.

Heil!

(Sgd) R. Hess

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(Hand-written note:)

Verlin, 17 October 1945

1. The identical letter seems to have been addressed to all Reich Ministers. In our special field the decree of 27 July 1934 has hardly become applicable so far. A reply does not seem called for.

2. File in file 7B (?)

(Sgd)

R.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D-139

I, PAUL W. FREEDMAN, S/Sgt, 33799122, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. D-139.

PAUL W. FREEDMAN
S/Sgt
33799122

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GB256
Extract read
7/2/46

4

TRANSLATION OF DOCUMENT D 151
OFFICE U S CHIEF OF COUNSEL

ADOLF HITLER FUND

Translation of letter by Dr. Krupp von Bohlen und Halbach to Dr. Hjalmar Schacht of 30th May 1933.

- - - - - - - -

Personal.

Dear Mr. President, (Comment: added in pencil, "Dr. Schacht".)

As Dr. HOETTGEN and I had the opportunity of mentioning to you yesterday, it is proposed to initiate a collection in the most far-reaching circles of German industry, including agriculture and the banking world, which is to be put at the disposal of the Fuehrer of the NSDAP in the name of "The Hitler Fund", which would replace collections in many cases separately organized of the various NSDAP organisations and the Stahlhelm. It has been decided to appoint a management council for this central collection; I have accepted the chairmanship of the management council at the unanimous request of the principal federations, inspired by the with to collaborate with my full strength in this task which is to be a symbol of gratitude to the Fuehrer of the nation.

You were kind enough to promise me to obtain from Messrs. Otto Christian Fischer, of the Reichskreditgesellschaft, Berlin, and Dr. Mosler, of the Deutsche Bank und Doskonto-Gesellschaft, Berlin, full particulars and especially information on how far banks which are public corporations can participate in this task. Dr. Fischer will get in touch with you within the next few days.

With the expression of my sincere esteem,

I am,

Yours &o.

(sgd) Krupp Bohlen Halbach.

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Translation of Extract of a Printed Sheet in a file from the Private Secretary's Office of Krupp von Bohlen und Halbach.

August 1933.

The "Adolf Hitler Fund of German Industry" rests upon an agreement between the Reich management of the NSDAP and leading representatives of the German industry.

It is the purpose of the fund:-

on the one hand to put at the disposal of the Reich leadership the funds required for the unified execution of the tasks which fall to the lot of the SA, SS, St, HJ, political organisations, etc.

.....

signed:-Rudolf H e s s .

.....

Translator's Note:-

St. - Stahlhelm - a political organisation of ex-soldiers belonging to the German National Party, who bore arms. They were first tolerated by the NSDAP, but later merged with the SA.

- - - - -

CERTIFICATE OF TRANSLATION.

27 Sept. 1945

I, Capt. H. W. Frank, British Army, hereby certify that I am thoroughly conversant with the English, French and German languages; and that the attached is a true and correct translation, made under my supervision, into the English language from the German language, of the document (or excerpts therefrom as indicated)+ attached to and referred to in the certificate dated 27 Sept. 45, bearing No. D.151 signed by J/Comd Leonard.

W. Frank, Capt.

+ To be used where excerpts only are translated and to be struck out when entire document is translated

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DOCUMENT D-614
OFFICE OF U.S. CHIEF OF COUNSEL

I, SIR DAVID JOHN MONTAGU-DOUGLAS-SCOTT, K.C.M.G., a Deputy Under-Secretary of State for Foreign Affairs, HEREBY CERTIFY that the document attached hereto and marked "A" is a TRUE COPY of a statement, regarding the arrival of Rudolf Hess in Great Britain, made to Parliament on the 22nd September, 1943, by the Right Honourable ROBERT ANTHONY EDEN, M.C., M.P., Secretary of State for Foreign Affairs, as appearing in Volume 392 (Fifth Series) of the Official Report of the House of Commons Parliamentary Debates.

Sial of

sign. David Scott

FOREIGN OFFICE
LONDON.

Foreign Office, London, S.W. 1.
9th November, 1945.

"A"

Hess flew to Great Britain in a Me. 110, from which he landed by parachute in the evening of 10th May, 1941, at Eaglesham in Scotland. He was wearing the uniform of a captain in the German Air Force. He gave his name as Alfred Horn and stated to the Home Guard and the police that he was on a "special mission" to see the Duke of Hamilton, and that he had intended to land at Dungavel, 12 miles distant from the spot where he landed. The prisoner was taken to Maryhill Barracks, and amongst his possessions were found photographs of himself and of a small boy, also the visiting cards of Dr. Karl Haushofer and Dr. Albrecht Haushofer, his son. No other documents or identifications were found on the prisoner.

On Sunday, 11th May, at 10 a.m., Wing-Commander the Duke af Hamilton arrived at Maryhill Barracks and visited the prisoner with the interrogating officer and the military officer on guard. At the prisoners's request the latter two officers withdrew. He then stated to the wing-commander that the latter had lunched in his house in Berlin at the time of the Olympic Games in 1936 and added: "I am Rudolf Hess." The wing-commander had no recollection of the prisoner and was not aware that he had ever seen or met Rudolf Hess. The prisoner then proceeded:
"I am on a mission of humanity. The Fuehrer does not want to defeat England and wants to stop fighting."

His friend Haushofer, he stated, had told him that the wing-commander was an Englishman who would understand his point of view. He had tried to arrange a meeting in Lisbon. He had three times before tried to fly to Dungavel, the first time being in December, 1940, but had been turned back by weather or various other [illegible] did not want to come during the time of British successes in order lest it should appear that it was the weakness of Germany which prompted the flight, but that now Germany had had some success there he was glad to come. He stressed that his presence showed his sincerity and the German willingness for peace. His main theme was that Hitler was convinced that Germany would win sooner or later; that he (the prisoner) wanted to stop the unnecessary slaughter. He asked the wing-commander to get together the leading members of his party to talk over things with a view to making peace proposals. He then stated that he could tell him what the Fuehrer's peace term would be. The wing-commander pointed out that there was now only one party in Great

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Britain. The wing-commander immediately flew to London and reported this conversation, stating that, though he could not be sure, he believed the prisoner was, in fact, Rudolf Hess.

Mr. Kirkpatrick, of the Foreign Office, who had during the period of his official duties in Berlin before the war become acquainted with Hess, was at once flown up to Scotland to identify the prisoner. He had three interviews, on the 13th, 14th and 15th May. At the first of these he confirmed that the prisoner was Rudolf Hess. During these interviews Hess further elaborated the objekt of his visit. He stressed the enormous power of Germany in the air and in U-boats, which latter, he stated, would grow much greater. He affirmed the certainty of England's defeat by blockade, if not very quickly, in the course of two or three years. He expressed his horror at the prospect of the prolongation of the struggle. He had come, he said, without the knowledge of the Fuehrer to convince responsible persons that, since England could not win, the wisest course was to make peace at once. He gave his word of honour that the Fuehrer had never entertained any designs against the British Empire, nor had he ever aspired to world domination. The Fuehrer would sincerly regret the collapse of the British Empire. Hitler had declared to him as recently as 3rd May that he had no oppressive demands to make on England.

The solution which Hess put forward was as follows:

(i) That Germany should be given a free hand in Europe;

(ii) That England should have a free hand in the British Empire, except that the ex-German Colonies should be returned to Germany;

(iii) That Russia should be included in Asia, but that Germany had certain demands to make of Russia which would have to be satisfied either by negotiation or as the result of war. There was, however, no truth in the remours that the Fuehrer contemplated an early attack on Russia.

(iv) That the British should evacuate Iraq.

(v) The peace agreement would have to contain a provesion for the reciprocal indemnification of British and German Nationals, whose property had been expropriated as the result of war.

(vi) The proposal could only be considered on the understanding that it was negotiated by Germany with an English Government other than the present British Government. Mr. Churchill, who had planned the war since 1936, and his colleagues, who had lent themselves to his war policy, were not persons with whom the Fuehrer would negotiate.

Hess concluded by emphasising that the Fuehrer really wanted a permanent understanding with Great Britain on a basis which preserved the British Empire intact. His own flight was intended to give Great Britain a chance of opening conversations without loss of prestige. If this chance were to be rejected, it would be the Fuehrer's duty to destroy Great Britain utterly and to keep the country after the war in a state of permanent subjection. These so-called "terms" were restated by Hess in a signed document dated 10th June. The only new point made in this document was the provision that a simultaneous armistice and peace must be concluded with Italy.

It was, throughout, made clear to Hess that there was no question whatever of any talks or negotiations of any kind taking place with Hitler or his Government. Hess has been dealt with as a prisoner of war since his arrival in this country and will so continue to be treated till the end of the war.

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TRANSLATION OF DOCUMENT NO.EC 411
OFFICE OF U S CHIEF OF COUNSEL

Copy of an order by Hess, Deputy Fuehrer, of November 20, 1939, which reads as follows:

"I hear from Party Members who came from the Government General that various agencies, as, for instance, the Military Economic Staff, the Reich Ministry for Labor, etc., intend to reconstruct certain industrial enterprises in Warsaw. However, in accordance with a decision by Minister Dr. Frank, as approved by the Fuehrer, Warsaw shall not be rebuilt nor is it the intention of the Fuehrer to rebuild or reconstruct any industry in the Government General."

WALTER F. DERENBERG.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO.EC 411

I, WALTER J. DERENBERG, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. Ec 411.

Walter J. Derenberg.

H1175-0015

TRANSLATION OF DOCUMENT No.L-273
OFFICE OF U.S. CHIEF OF COUNSEL.

No. 344

Amerikanisches General Konsulat
Wien, 26.Juli 1938.

Betrifft: Jahrestag der Ermordung von Kanzler Dollfus.

Streng vertraulich.

An den
Staatssekretär,
Washington.

Herr Staatssekretär !

Ich habe die Ehre zu berichten, dass am 24.und 25.Juli in der ganzen "Ostmark" der Jahrestag der Ermordung von Kanzler Dollfuss gefeiert wurde, der jetztebezeichnet wird "als der Tag an welchem vor vier Jahren leidenschaftliche und aufopferungsvolle National Sozialisten den Versuch machten, die österreichischen Provinzen in das deutsche Heimatland zurückzuführen, gemäss dem Willen ihrer Einwohner." (Neues Wiener Abendblatt, 25.Juli 1938.)
Die zwei Höhepunkte der Feier waren die Gedenktagversammlung am 24. in Klagenfurt, der Hauptstadt der Provinz Kärnten, wo 1934 der Wiener Nazi Aufstand den grössten Anklang fand, und der Marsch der am Leben gebliebenen Mitglieder der SS-Standarte 89, die 1934 den Angriff auf die Bundes-Kanzlei ausgeführt hatte, am 25.nach der vormaligen Kanzlei in Wien, =sozusagen eine Wiederherstellung des Verbrechens.
Die versammelten Tausende in Klagenfurt hörten einer Ansprache des Vertreters des Führers, Rudolf Hess, zu, in Gegenwart der Familien der 13 Nationalsozialisten, die wegen Beteiligung am Juli-Putsch gehängt worden waren. Die Klagenfurter Gedenkfeier diente gleichzeitig als Anlass der feierlichen Vereidigung der sieben kürzlich ernannten Gauleiter der Ostmark.
Vom Standpunkt des Auslandes war die Rede des Reichsministers Hess hauptsächlich bemerkenswert durch die Tatsache, dass er, nachdem er die erste Hälfte seiner Ansprache der erwarteten Lobpreisung der Aufopferung der Männer, Frauen und Jugend Oesterreichs in ihrem Kampf für ein Gross-Deutschland gewidmet hatte, in eine Rechtfertigung für die Besetzung Oesterreichs und einen Angriff auf die "lügnerische Auslandspresse" und gegen diejenigen, welche die Idee eines neuen Krieges verbreiteten, überging. Es wäre ein Glück für die Welt, erklärte Hess, dass Deutschlands Führer ein Mann sei, der sich nicht herausfordern lasse. "Der Führer tut was für sein Volk notwendig ist, in allerhöchster Ruhe ..... und arbeitet für den Frieden Europas, sogar dann, wenn Provokateure unter vollständiger Ausserachtlassung der offenbaren Bedrohung des Friedens für gewisse kleine Staaten", hinterlistig behaupten, dass er eine Gefahr für den Frieden Europas bedeute.
Der Marsch nach der vormaligen Bundeskanzlei, jetzt die Reichsstatthalterei, erfolgte über ganz genau dieselben Strassen und mit genau derselben Zeiteinteilung wie der ursprüngliche Angriff. Die Marschteilnehmer wurden bei der Kanzlei von Reichsstatthalter Seyss-Inquart begrüsst, der eine Ansprache hielt und darauffolgend eine Gedenktafel enthüllte. Von der Reichsstatthalterei marschierte die Standarte nach der alten RAVAG Rundfunkzentrale, von der seinerzeit die falschen Berichte über die Abdankung von Dollfuss gefunkt worden waren, und dort wurde eine zweite Gedenktafel enthüllt.

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Steinhäusl, der gegenwärtige Polizeipräsident von Wien ist ein Mitglied der SS=Standarte 89.
Die Wohnung von Baron Peter de Leusse, Sekretär der ehemaligen französischen Legation, der vorübergehend als Konsul nach Wien beordert war, lag auf der Marschroute. Bevor er nach seinem Büro ging berichtete ihm sein Diener, die Polizei hätte befohlen, dass Hakenkreuzfahnen von seinen Fenstern ausgehängt werden müssten. Er weigerte sich. Nach seinem Weggang drang eine Abteilung von SA=Leuten ein und behängten, entgegen dem Einspruch seines Dieners, jedes Fenster mit grossen Fahnen. Als Baron de Leusse nach seiner Wohnung zurückkehrte, fand er die SA=Leute noch vor dem Hause vor. Er protestierte bei dem befehlsführenden Offizier, der einen sehr unhöflichen Ton anschlug. Der Protest nützte nichts. Daraufhin protestierte Baron de Leusse beim Vertreter von Kommissar Bürckel. Die Fahnen wurden schliesslich mit dem Ausdruck des Bedauerns entfernt.
Nach der Ermordung von Dollfuss sandte der Führer ein Beileidsschreiben an die Witwe, und Mussolini ernannte sich selbst zum Beschützer ihrer Kinder. Soviel ich weiss, hält sich Frau Dollfuss gegenwärtig in der Schweiz auf, ihre Hilfegesuche an Mussolini blieben unbeantwortet, und es wurde ihr nicht erlaubt, italienisches Gebiet zu betreten. Nach den Aussagen eines Kollegen, der sie aus Oesterreich rausschmuggelte, werden ihre Geldmittel in kurzer Zeit vollständig erschöpft sein.

Mit vorzüglicher Hochachtung Ihr

(sig.) John C. Wiley

Amerikanischer Generalkonsul.

JHM/JCW/lmp.
Anlage No.841.5

CERTIFICATE OF TRANSLATION
OF DOCUMENT No. L-273.

18. November 1945.

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. L-273.

GOETZ MAYER
T/5
33812169.

H1175 - 0017

DOCUMENT L-292
OFFICE OF U.S. CHIEF OF COUNSEL

TELEGRAM RECEIVED

ME

From: GRAY

Vienna

Dated March 12, 1938

Rec'd 9.45 a.m.

Secretary of State,

Washington.

70, March 12, noon.

Numerous German bombers flying over Vienna dropping leaflets "National Socialist Germany greets its possession National Socialist Austria and its new government in true indivisible union".

Continual rumors small German troop movements into Austria and impending arrival Austrian legion.

S.S. and S.A. in undisputed control in Vienna.

Police wear swastika arm bands. Schuschnigg and Schmidt rumored arrested.

Himmler and Hess here.

WILEY

PEG HPD

H1175-0018

Cited. read. GB257 12

M 102

9/2/46.

Extract from

"NATIONAL ZEITUNG", 27th April 1941.

A long while ago - it was still before the outbreak of war - Rudolf Hess was once called the "Conscience of the Party." If we ask why the Fuehrer's Deputy was given this undoubtedly honourable title the reason for this is plain to see; there is no phenomenon of our public life which is not the concern of the Fuehrer's Deputy. So enormously many-sided and diverse is his work and sphere of duty that it cannot be outlined in a few words. And it lies in the nature of the obligation laid on the Fuehrer's Deputy that wide publicity hears little of the activity of Rudolf Hess. Few know that many Government measures taken, especially in the sphere of war economy and the party, which meet with such hearty approbation when they are notified publicly.....can be traced back to the direct initiation of the Fuehrer's Deputy.

(4120)

H1175-0019

13

M 103

EXTRACT FROM VOELKISCHER BEOBACHTER, 30 JUNE 1934.

"Adolf Hitler's Germany is unshakeable". - Rudolf Hess to the representatives of the foreign Chamber of Commerce.

.....The President of the German Industry and Trade Board, Dr.von Renteln, welcomed the guests. Then the Fuehrer's deputy, Reichminister Rudolf Hess, began a speech in which he spoke fully on the following -

Germany alone shall decide German affairs.

.....All the more however Germany must and can expect the outside world to abstain from any attempt to interfere with the internal affairs of Germany or to influence the development (of affairs) in Germany.....

.....If we really determine to make ourselves independent of foreign countries, then we shall do it with the fixity of purpose which distinguishes Germany at all times when she feels herself threatened in the foundation of her existence.

(3469)

H1175 - 0020

GB 260
Extracted
7/2/46

14

M 104

EXTRACT FROM FRANKFURTER ZEITUNG, 13 OCTOBER 1936.

No Compulsory System, no Marks System,

Rudolf Hess on the Food Question.

An Appeal to Housewives.

HOF, 12th October

On Sunday evening Reichsminister HESS inaugurated a newly-built ADOLF HITLER HALL at HOF in the Bavarian Ostmark district. During the festivities Reichsminister RUDOLF HESS made a speech, in which he dealt with the problem of supplying the German people with food and the question of standardising prices for agricultural products in daily use.

According to the report of the "German News Bureau" he then explained in detail:- .....

"We are prepared, in the future too - if need be - at times to eat a little less fat, a little less pork, a few eggs less, since we know that this little sacrifice is a sacrifice on the Altar of the Freedom of our People. We know that the foreign exchange which we thereby save expedites the output of armaments.

The phrase still holds good today "GUNS instead of Butter!"

(3470)

H1175 - 0021

GB 261
Extract read 7/2/46

15

M 105

EXTRACT FROM VOELKISCHER BEOBACHTER, 2 MAY 1941.

On the National holiday of the German people, at a solemn meeting of the Reich Chamber of Labour which took place in the MESSERSCHMITT Works in AUGSBURG, were proclaimed the distinctions bestowed by the Fuehrer, "National Socialist Model Factory" and "Pioneer of Labour".

.....

The centrepoint of the celebration was the address by the Fuehrer's Deputy, RUDOLF HESS, in which he honoured the distinguished merits of the newly nominated Pioneers of Labour.

.....

If the Fuehrer - thus RUDOLF HESS began his speech - honours in regular sequence on the National holiday of the German people, the representative German undertakings by the bestowal of the Golden Ensign and the distinction National Socialist Model Factory, not only is the National Socialist spirit of the individual industrial combines characterised, but the performances of workers and Managing Directors are publicly honoured before the whole people.

.....

The German soldier must understand: for the uniqueness and the abundance of his weapons and of his material, for these he must thank the untiring efforts for many years of ADOLF HITLER - but for their uniform, reliability and excellence, for these things he must thank the German creators. And the German soldier is as little likely to forget them as the creators will forget his struggle and his victory.

If already by today, at the termination of the fourth German industrial production campaign, continued RUDOLF HESS, so many German factories could be distinguished with the Golden Ensign, it is the emblematical pledging of personality to the conception of the National Socialist industry and the National Socialist industrial combines which has gained this success. Here, as everywhere, it is the strong individual personality which stands as prototype and involves its surroundings with it. We must never forget that it is not the organisation or the type of organisation, not the essential conception of the undertaking or the industry which is decisive, the decisive factor is personality, the personality of the Managing Director, the personality of the workman. The organisation does not create personality, but the creative and productive personalities make for themselves the organisation within which they can develop.

(3471)

H1175 - 0022

16

M 107

EXTRACT FROM VOELKISCHER BEOBACHTER, 28 August 1939

Cited 7/3/46

Rudolf Hess answers Chamberlain -

"We stand by the Fuehrer's banner, come what will!"

The Fuehrer's deputy again gives proof of England's responsibility.

GRAZ, August 26th.

The 7th Reich session of "Germans abroad", as already reported in another section of this issue, was opened in Graz on Friday evening with a great demonstration on the Trabrennplatz (Racecourse). A culminating point in the proceedings which took place with strong support from the population of Graz was a speech by the Fuehrer's deputy, Reich Minister Rudolf Hess.

Rudolf Hess, constantly interrupted with strong applause from the Auslandsdeutschen (German citizens living abroad) as well as fellow countrymen from the district of Styria, who were their hosts, stressed the unexampled forbearance shown by Germany towards Poland, and the magnaninous offer of the Fuehrer that had endured peace between Germany and Poland.

"An offer that Mr.Chamberlain seems to have forgotten. For he says he has heard nothing of Germany's having tried to solve certain acute present day questions by peaceful discussions. What else was German offer then if it was not such an attempt?!"

Poland, continued the Fuehrer's deputy, had however not once made the attempt even to negotiate over this offer. On the contrary, it abused Germany, agitated for war, demanded new German land as far as beyond the Oder violated the frontiers again and again, and shot down German transport planes.

"The responsibility for Poland's lack of responsibility is England's.

"And when, cried Rudolf Hess, "the English Prime Minister speaks of 'alleged' ill-treatment of Germans living in Poland, and when he finds it extraordinary that these statements bear a striking similarity to similar statements last year, we can only say that England's attitude this year has unfortunately also a striking resemblance to her attitude last year! And her attitude this year as last year has been construed as giving license to ill-treat Germans living under foreign nationalities, to plunder their possessions and to drive them out of the country. Go to these refugee camps yourself, Mr.Chamberlain, and you will see with your own eyes and hear with your own ears: it is not a question of 'alleged' ill-treatment - it is a question of grim reality.

"Here is bloodshed, Mr.Chamberlain! People are being killed! Innocent people are dying! You can see it for youself. You will then realise the better what you said in your speech, that nothing can arouse

(3916)

H1175 - 0023

so much indignation in a country as the ill-treatment of one's own fellow-countrymen in another land."

The responsibility however (he said) was ENGLAND's, who spoke of peace, and stirred up war. England, who in all the years had scundly rejected all the Fuehrer's proposals for peace; and not only rejected these proposals, but before and after the MUNICH agreement built up threat to Germany by arming Czecho-Slovakia. After the Fuehrer had eliminated this seat of conflagration, England induced Poland not to accept the Fuehrer's offer of peace, and to appear as a new threat to Germany from the east.

The more reasons England blares forth as justification of her enmity towards Germany, the less we believe her. There is only one real reason:

Jews and Freemasons want a war against this hated Germany, against the Germany in which they have lost their power."

In spite of all England's efforts she has not succeeded in prevailing upon SOVIET RUSSIA to complete the encirclement by the aggressors.

Germany and Soviet Russia have made their contribution to the peace of the world by their Non-aggression and Consultation Pact.

"We Germans", said the Fuehrer's deputy, as he concluded his address which had been received with fervent enthusiasm, "we Germans face the future in a calm and steadfast frame of mind, whatever it may bring us! In former years all that came, both good and bad, was necessary to the life and development of our people. And we believe that it will be so in the future.

We know that everything undertaken against the new Germany and its Fuehrer always turned out in favour of the new Germany and of the Fuehrer. So it will be in the future also, for we hold the belief that the Almighty is on the side of Germany and her just cause. For we believe that the Almighty sent us the Fuehrer to save us in our direst need. When we stand by the Fuehrer we carry out the will of Him who sent us the Fuehrer.

We Germans: we stand by the Fuehrer's banner - come what may!"

(3476)

H1175 - 0024

18

M 198

Berlin, 20th April.

The Fuehrer's Deputy, Reichsminister Rudolf Hess broadcast on the morning of the Fuehrer's birthday over the Greater Germany Radio Station, the good wishes of the German people.

The speech ran as follows.....

.....

In the name of the Homeland and in the name of Germans overseas, may I, my Fuehrer, say with all my heart. In proud acknowledgment that through your leadership, the greatest achievements and deeds in their history both in Peace and War have been brought to fulfilment, the People of Greater Germany send you their blessing.

I include therein our thanks for all you have done for us Germans - above all, our thanks that your strong and farsighted leadership has preserved the Homeland from the enemy's intention to annihilate us. Through a series of victories unequalled in history - thanks to your strength of will - you have given to Germany a respect in the world which a few years ago would have seemedincredible.

(4121)

H1175-0025

TRANSLATION OF DOCUMENT NO. 062-PS
OFFICE OF U.S. CHIEF OF COUNSEL

19

NATIONAL SOCIALIST GERMAN WORKERS PARTY

The Deputy of the Fuehrer

(Receipt Stamp:
Chancellery Rosenberg
No. 941, dated 1 April 1940)

Munich 33, 13 March 1940
Browm House

TOP SECRET!

(Initialled): R

DIRECTIVE A 5/40 g-

SUBJECT: Instructions to the civilian population regarding appropriate behavior in case of landings of enemy planes or parachutists in German territory (Reichsgebiet)

The Frence civilian population was directed officially and by radio how to behave in case of landings of German planes.

On account of this fact the Commander in Chief of the Air Force has requested me to instruct the civilian population correspondingly by means of party channels.

The attached directions as to procedure are to be disseminated only orally via district leaders (Kreisleiter), local municipal leaders(Ortsgruppenleiter), cell leaders (Zellenleiter), block leaders (Blockleiter), leaders of the incorporated and affiliated organizations of the party. Transmittal by official orders, posters, press or radio is prohibited.

1 inclosure
Authenticated:
(F.d.R.)
FRIEDRICHS

signed: R. HESS

OFFICIAL STAMP: TOP SECRET
(gives the exact routine instructions how to handle state secrets)

1. This is a state secret in the sense of par. 88 Reich Criminal Code in the wording of the law of 24. April 1934. German Laws of 1934 Vol. 1 p. 341 ff

2. To be passed on only personally or upon personal written request in two envelopes against receipt certificate.

3. Transmission if possible through courier or trusted personality; in case of postal transmission as money-letter(value 1050 mark

4. Multiplication of any kind as well as making of excerpts is prohibited.

5. Recipient responsible for safe keeping. Violation of this results in severest punishment.

DISTRIBUTION
Members of the Executive Board of the NSDAP(Reichsleiter)
Regional Leaders (Gauleiter)
Adjutant's Office of the Fuehrer
Liaison Staff of the NSDAP
Reich Organization Directorate
Reich Propaganda Directorate
Reich Student Leadership
SS Gruppenfuehrer (equivalent U.S. Army Maj. Gen.) HEYDRICH.

H1175-0026

20

INCLOSURE TO DIRECTIVE A 5/40 g

DIRECTION

about behavior in case of landings of enemy planes or parachutists

1. Each enemy plane landing on German soil is to be put under effective protection immediately.

2. The airmen are to be arrested at once, and, first of all, a restarting as well as the destruction or burning of the plane or its contents are to be prevented.

3. It is to be kept especially in mind that each part of the plane, even the smallest, or of the equipment of the airmen is important and tof the utmost significance to the competent service office. The retaining of any objects-possibly as souvenirs- is detrimental to the country's defense, and will be punished as looting according to law. This category includes also, i.e. notebooks, letters. postal cards, either in the plane or in the clothing of killed or wounded airmen. Any attempt by enemy airmen to destroy such objects is to be prevented by all means.

4. Likewise, enemy parachutists are immediately to be arrested or liquidated. (Unschadlich Germacht).

5. The nearest military or constubulary post is to be informed at once.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO.062-PS
Nov. 27, 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf,O-1335567, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a true and correct translation of document no. 062-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-1335567

H1175 - 0027

TRANSLATION OF DOCUMENT 070 PS
OFFICE OF U.S. CHIEF OF COUNSEL

21

NATIONAL SOCIALIST GERMAN WORKERS PARTY

The Deputy of the Fuehrer
Staff

Munich 33, April 25, 1941
The Brown House
III D - Schw
1180/0

Chancellory Rosenberg
Receipt No 4746 Urg 5 May 4
Submitted to the RL on
May 6

H

To the
Fuehrer's Commissioner for the
Supervision of the entire mental
and world-philosophical training
and education of the NSDAP

Berling W 35
Margaretenstrasse 17

Subject: Nationsl Socialist Schoól Services

Copy to
Party member
Scheller
5 April 41
complied

Dr. Stell-
brecht
stang
complied
6 April

We are inducing schools more and more to reduce and abolish religious morning services. Similarly, the confessional and general prayers in several parts of the Reich have already been replaced by national socialist mottos. I would be grateful to know ydur opinion on a future national socialist morning service instead of the present confessional morning services which are usually conducted once per week.
Should those services be held at designated times, that is once per week or once every other week, or should they only be held at special occasions? I would further appreciate your advice on whether you have prepared concrete suggestions for the arrangement of such national socialist school services. If so I would be grateful to receive them.

Heil Hitler!

signed: KRUEGER (?)?

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 070 PS

12 November 1945

I, FRED NIEBERGALL, 2nd Lt., Inf., 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a ture and correct translation of Document No. 070 PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
0-1335567

H1175 - 0028

22

TRANSLATION OF DOCUMENT 089-PS
OFFICE OF U.S. CHIEF OF COUNSEL

NATIONAL SOCIALIST GERMAN WORKERS PARTY

The Deputy of the Fuehrer
Chief of Staff

Munich 33
Brown House
at present Berlin w8
March 8, 1940
Wilhelmstr. 64
III-Dr Kl/Gf

Chancellory Rosenberg
Receipt Nr 765. 14 Mar 40

Personal

To Mr.
Reichsleiter Rosenberg
Berlin w 35
Margaretenstr. 17

Concerns: Confessional writing

In the enclosure I am sending you a carbon copy of my letter of today to Reichsleiter AMANN for recognition,

signed: M BORMANN

Enclosure

NATIONAL SOCIALIST GERMAN WORKERS PARTY

the Deputy of the Fuehrer
Chief of Staff

Munich 33
Brown House
at present Berlinw8
March 8,1940
Wilhelmstr. 64
III-Dr Kl/Gf

Personal

to Mr.
Reichsleiter Amann
Munich
Thierschstr. 11

Concerns: Confessional writing.

I am referring to the discussion of my expert, party member Dr. KLOPFER, with party member Dr. RIENHARDT, and inform you once more of the fact that according to a report I have received, only 10% of the over 3000 protestant periodicals in Germany, such as Sunday papers etc. have ceased publication for reason of paper saving. Party member Dr. RIENHARDT has already informed my expert that at present the distribution of any paper whatsoever for such periodicals was barred.

I urge you to see to it in any redistribution of paper to be considered later that the confessional writing, which according to experiences so far gathered possesses very doubtful value for strengthening the power of resistance of the people toward the external foe, receives still sharper restrictions in favor of literature, politically and ideologically more valuable.

Without doubt the draft of an order "for fulfillment of the organizational duty by the production of writings", presented upon your request, will be a suitable means for this purpose.

signed: M BORMANN

CERTIFICATE OF TRANSLATION
OF EXCERPT FROM 089-PS

I, FRED NIEBERGALL, 2nd Lt Inf 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the indicated excerpt from Document No. 089-PS.

FRED NIEBERGALL 2nd Lt Inf 0-1335567

H1175 – 0029

TRANSLATION OF DOCUMENT -098-PS
OFFICE OF U S CHIEF COUNSEL

NATIONAL SOCIALIST GERMAN LABOR PARTY

Munich, 33,
Brown house
at present Berlin, 22 Feb 40

Deputy of the Fuehrer
Staff Leader

Mr. Reich leader Alfred Rosenberg
Berlin W 35
Margareten Str. 17

Chancellory Rosenberg
rec.No. 555 24 Feb 40
copy AR
and Urban St.

Subject: Directions for the administration of classes in religion

Dear party member Rosenberg:

The deputy of the Fuehrer has heard from different sources, that Reich Bishop Mueller tells everywhere, that he received a commission from you to work out directions for formulating the teaching of religion for the schools.

I have not been able to examine the statements of Reich Bishop Mueller as to their correctness. The question, having come up for discussion again by the statements of Reich Bishop Mueller, is however in my mind of such fundamental importance for the future ideological position of the party, that I find it necessary, already now to point out to you the serious objections I have in regard to such a commission.

The ministry for education of the Reich has repeatedly indicated its desire in the course of the past few years for new directions for formulating the teaching of religion , which would also be acceptable to the NSDAP.

With your agreement, this request has repeatedly been refused by the Fuehrer's deputy. Just as your ministry did, so the deputy of the Fuehrer took the position based on the assumption, that it could not be the task of the party to give directions for the instruction of the teachings of Christian religions.

Christianity and National Socialism are phenomena which originated from entirely different basic causes. Both differ fundamentally so strongly, that it will not be possible to construct a Christian teaching which would be completely compatible with the point of view of the national socialist ideology; just as the communities of Christian faith would never be able to stand by the ideology of national socialism in its entirety. The issuing of national socialist directions for the teaching of religious classes would however be based on a synthesis of national socialism and Christianity which I find impossible.

If the directions should really be permeated by the spirit of national socialism, some very fundamental articles of faith of the Christian teachings could not be recognized. I am referring here only to the position of the Christian churches to the race question, to the question of hindrance or destruction of life not valuable, its position to marriage, which speaks for the celibacy of priests and the toleration and furtherance of orders for monks and nuns, the teaching, contridictory to German feeling, of the immaculate conception of mary, etc.

H1175 - 0030

No matter how these direction may be formulated, in no case will they ever simultaneously find the approval of the church and the party.

In addition to this, the religions themselves cannot agree on the contents of the christian teachings; as far as the Protestantsthemselves are concerned, there are not only the followers of the confessional church in the Reich and the German Christians, but also the adherents of a teaching, which is endeavoring to create a new Lutheran Christendom of a particular kind approximately in the shape which seems desirable to the Reich Minister of churches, party member Kerrl. The party thus would have to decide first which of these directions of faith it would give preference, or if it should even decide for a fourth. I do not think it entirely impossible that the Reich Bishop may take this latter road, since according to his last publication he himself has already turned sharply away from conceptions which up to now have been part of the faith of the German Christians.

But if directions for the instruction of religion should ever be worked out, it will not be enough, to my mind, to make them for Protestants only; respective directions should also be worked out for Catholics. To work out directions for instructions of Catholic faith, the Reich Bishop is hardly the suitable person, and one would probably have to choose a Catholic. Of course the directions for both faiths would differ in fundamental questions, each, however would lay claim to the fact that it really contained the truly authentic interpretation of article 24 of the party program.

By issuing directions nothing would therefore be improved in the present situation in the field of the churches. The fight between the faiths would be carried on in the old form and spread into the lines of the party. Yes, all faiths and Christian groups would attack state and party, because they had assumed to encroach up on their own territory, that of teaching the Christian faith and to try to reform it.

The churches cannot be conquered by a compromise between national socialism and Christian teachings, but only through a new ideology, whose coming you yourself have announced in your writings. Because of this conviction we have always been careful, not to exert a reforming influence on the Christian dogma in any shape nor to exert anyinfluence on the church directives for religion teachings. In complete mutual agreement we have rejected the intention of the Reich Minister for churches who, against the objection of the party, always tried anew to renew the church life in the frame of national socialist spirit, in searching for a compromise between Christian teachings and the ideology of national socialism.

Should, however, anyone personality emanating from the life of the church, be charged now to work out directions for the teaching of the Christian religion, the party would thereby basically approve and accept for itself the position of the Reich Minister for the churches previously opposed by itas there is no basic difference between a position which wants to reform and reorganize the church life in its entirety, and one which aims at this goal solely in the realm of the education of youth.

H1175-0031

TRANSLATION OF DOCUMENT 098-PS
OFFICE OF U S CHIEF COUNSEL
continued

So far we have always been in accord, that by taking such a step the party would leave the soil on which it is firmly planted and would step on the swaying ground of the controversial Christian doctrines. It would enter into the domain of the interpretation of the teachings of Jesus, and there would doubtless be subordinate to those who for centuries have done nothing but interpret and rewrite the words and deeds of Jesus of Nazareth as written in the old books about the actual wording of which the scientists fight even today. When in later decades and centuries the German people's soul liberated by national socialism should once again be choked and crippled by Christian doctrines, it could be possible that it may have been caused by today's attempt to effect a synthesis between national socialism and Christianity.

On the other hand, of course I am also of the opinion that it is not possible to eliminate the religious instruction in schools without replacing it with something better for the moral education of youth.

Religious instruction as given in schools today does not only comprise the instruction in the Christian doctrines of faith, the teachings of the creation of the world and of the life thereafter; besides, the children receive also instructions in the ten commandments, which for most comrades of the people to this day still are the only directives for their moral behavior and for an orderly collective life in the people's community. If this instruction is taken from the children without replacing it with something better, the objection can be made - in my estimation not without reason , that, as many contend, the present degradation of youth is in part caused by the lack of religious instruction in schools.

What, in my opinion, is therefore necessary is the preparation of a short directive about a national socialist life formulation. We need for the work of education in the party, especially also in the Hitler Youth a short resume in which the ethical principles are documented, to respect which each German boy and girl, who at one time will be representatives of the national socialistic Germany, must be educated. In such a directive for instance belongs the law of bravery, the law against cowardess, the commandment of love for the soulfull nature in which God makes himself apparent also in the animal and the plant, a commandment to keep the blood pure; many principles also belong here which are for instance also contained in the decalogue of the Old Testament, as far as they can be regarded as moral principles of all people's life.

The publication of such a directive can and must only come out of our national socialist conduct of life. Its commandments of customs need to be explained by reference to any doctrines of faith about the creation of life and about life of the soul after death.

They can and must originate beyond any confessional discussions.

I take the publication of such a directive to be of utmost importance, because the German boys and girls must once be told what they can and must do, and what is forbidden for them to do. I don't even think it necessary to introduce this directive immediately into the schools as a text; it would be sufficient if for the time being it would be introduced into the party and its

H1175-0032

affiliations. Later it could also be taken over by the schools just as the little Catechism also was not created by the school boards, but first tought by the Church and later taken over by the schools.

As far as the religious instructions in the schools is concerned, I do not think that anything has to be changed in the present situation. No fault can be found with any national socialist teacher, who after the unmistakenly clear instructions of the Fuehrer's deputy, is ready to give school instructions in the Christian religion. For the contents of this instruction, however, the directives should still be binding which have been made by the churches themselves. In the circular of the Fuehrer's deputy No. 3/39 of 4 Jan 1939 it is stated explicitly that the teachers charged with religious instruction are not to choose from the material on biblical history at their own discretion, but have the obligation to teach the entire biblical instruction material. Interpretations, explanations and separations in the sense of several attempts of particular church directions have to be omitted. The pupils must be given the entire picture of the biblical instruction material.

However, the teachers have the right to present this material as property of biblical thought and not as that of Germany or national socialism. If thus in some cases comparison will be drawn, this, according to the circular, corresponds only to the duties of the educator. Against such instruction of religion the churches cannot have any objections.

When,sometime later, the proposed directive for a new German conduct of life first to be used in the educational work of the party, will have founded entry into the schools, it shall in no way supplant classes in religion. It may perhaps be used as a foundation for some classes in German and must have validy for all pupils, without consideration of their religious affiliations.Against such educational prodedure the churches could not object, either because it would really be a matter of additional education, which would take place next to the religious instruction and without any connection with it. On the contrary, the churches would have reason to be thankful to the state because it is not satisfied with the religious instruction according to the very insufficient moral/education based on the ten commandments, but that it is giving youth an additional Education, which makes much higher demands on its moral conduct.

Parallel to that the desire of the parents for the instruction in the doctrines of faith may thus well go on. The stronger and more fertile our positive educational work in the schools will be formulated, however the more certain it is that instruction of religions will be loosing in importance.

If the youth which is now being educated according to our moral laws will later have to decide if it is still willing to have its children brought up in the far inferior Christian doctrines, the decision will in most cases be negative.

I would think that today, seven years after taking over the power, it should be possible to set up principles for a national socialist conduct of life. They have long been apparent to the people from the numerous early fighters for the national socialist idea.

H1175-0033

TRANSLATION OF DOCUMENT 098-PS
OFFICE OF U S CHIEF COUNSEL
continued

As long as we do not master this task, however, it will always be pointed out from various sides, and rightly so, that children, not taking part in religious instruction, are no longer taught even the most simple moral laws which are a standard for the communal life of all nations.

The Fuehrer's deputy finds it necessary that all these questions should be thoroughly discussed in the near future in the presence of the Reich leaders, who are especially effected by them. I would appreciate it very much if you would let me know your position in this matter before the discussion.

Heil Hitler !

/s/ M. Bormann

CERTIFICATE OF TRANSLATION
OF DOCUMENT 098-PS

I, GERARD SCHAEFER, 2nd Lt., 01332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document Nr. 098-PS

GERARD SCHAEFER
2nd Lt.
01332102

H1175 - 0034

H1175-0035

28

TRANSLATION OF DOCUMENT 113-PS
OFFICE OF U S CHIEF OF COUNSEL

Rosenberg
(in pencil)

NATIONAL SOCIALISTIC GERMAN LABOR PARTY

The Deputy of the Fuehrer
Chief of Staff

Munich, 27 July 1938
Brown House

III
Entered 11 Aug 38 6691
(Stamped)

(Stamped) Rosenberg Chancellery
Entry No. 2896k 3 Aug 38

REGULATION NR 104/38
(Not to be published)

Requested to be returned fro
III, Returned 22 Aug
(in pencil)

With regard to the constantly emphasized neutrality of the party with the churches, it is pertinent to eliminate, as far as possible, the existing frictions. Since pastors, as political and subordinate leaders have shown in the past that they were not able to make decisions when the job of trusteeship was added to the danger of having them drawn into church conflicts, the Deputy of the Fuehrer has decreed the following:

1. Pastors are to released immediately from their party function as standard bearers (Hoheitstraeger).
2. Pastors are to be interchanged little by little according to replacements at hand as political or subordinate leaders of the congregations.
3. As of now, it is forbidden to continue appointments of pastors to posions in the Party, to their congregations, and to groupe associated with church activities.

signed: M. BORMANN

Certified true copy:

Friedrichs

Distributor: II b

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 113-PS

27 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 113-PS.

FRED NIEBERGALL
2nd Lt Inf., O-1335567

29

TRANSLATION OF DOCUMENT 388-PS
OFFICE OF U S CHIEF OF COUNSEL

Cited 7/1/46. USA 26

APPERTAINING TO WAR HISTORY

(pencil note)

S.O. Only

"FALL GRÜN"

CZECHOSLOVAKIA

H1175 - 0036

30

Stamp:
Office of the Armed Forces
Adjutant attached
To the Führer and
Reich Chancellor
Recd. 3 Oct 1938
Reg. No. 259/38 Most Secret

TRANSLATION OF DOCUMENT 388 PS
cont.

pencil note: Adjutant to the Fuehrer

Item 32

Supreme Command of the Armed Forces
No. 2288/38 Most Secret WFA/L II

Berlin 27 Sept 1938

Subject: Mobilization Measures:

Most Secret

To : The Deputy Führer via Administrative Offices (J)
The Reichsfuhrer SS and Chief of German Police Express
attn: S.S. Oberführer. 47 copies
18th copy

As a result of the political situation the Fuhrer and Chancellor has ordered mobilization measures for the Armed Forces, without the political situation being aggravated by issuing the mobilization (X) order or corresponding code-words.

Within the framework of these mobilization measures it is necessary for the Armed Forces authorities to issue demands to the various Party authorities and their organisations, which are connected with the previous issuing of the mobilization order, the advance measures or special code names.

The special situation makes it necessary that these demands be met (even if the code word has not been previously issued) immediately and without being referred to higher authorities.

OKW requests that subordinate offices be given immediate instructions to this effect so that the mobilization of the Armed Forces can be carried out according to plan.

Following are several examples of cases where previous mobilization measures were delayed and a recurrence of which might seriously endanger the mobilization of the Armed Forces:

1) The SA in Wehrkreis XI refused to give up equipment requisitioned by the Armed Forces in accordance with mobilization regulations, because mobilization has not yet taken place.

2) Billets which were prepared for troops under mobilization regulations were not evacuated because mobilization has not taken place. (NSKK-School KREISCHWITZ - SILESIA).

3) Police authorities refused to give up Police Radio Stations for the A/C reporting network, although the A/C reporting service had already been called up.

The Supreme Command of the Armed Forces further requests that all measures not provided for in the plans which are undertaken by Party Organisations or Police units as a result of the political situation, be reported in every case and in plenty of time to the Supreme Command of the Armed Forces. Only then can it be guaranteed that these measures can be carried out in practice.

The Chief of the Supreme Command
of the Armed Forces.

KEITEL

Further:
Distribution II

H1175-0037

Copy.

Salzburg, 6 July 1939

To the
Reich Commissar Gauleiter Josef BUERCKEL

Vienna I
Parliament

Dear Party Member BUERCKEL!

Soon after taking over in Austria, Klausner, Globocnik, and I flew to Berlin to report to Hitler's deputy, Hess, about the events which led to our taking over the government. We did this because we had the impression that the general opinion, perhaps also Hitler's own, was that the liberation depended more on Austrian matters of state rather than the party. To be more exact, Hitler especially mentioned Dr. Seyss-Inquart alone; and public opinion gave him alone credit for the change and thus believed him to have played the sole leading role.

This conception does not, however, correspond to the true proportions of powers and to the conditions of leadership which were completely clear until 12 March 1938. At that time I gave a short report in Klausner's behalf to the deputy of Hitler and also submitted a short summary of the developments since 1934. I made no single copy of this. I did not take part in further actions of this kind since they seemed to me to be too much connected with personal feelings. I think the main reason for the fact that the person of Dr. Seyss-Inquart seemed to Hitler and to public opinion to have stepped in the limelight in those March days, was that no position existed in the party from which one might have presented oneself to the public; and that there was no man who had the guts to let himself be presented. The actual reason was that the party leadership had to remain secret during the whole illegal fight, secret even from the Reich German public. He who wanted to direct correctly the political battle of the Austrian nazism had to forego public fame. Leopold did not want to forego that and made such decisive political mistakes that his recall became necessary. The person of Klausner never longed for fame and was therefore not suitable to appear gloriously after the taking over of power. The two powers behind Klausner - I consider the dynamic part of Globocnik and the political part of myself - were bound from the beginning, as collaborators of Klausner's, to put him to the fore.

We saw in March and April how a false picture about the actual leadership conditions developed from this fact which could not be corrected inspite of our attempts to that effect. This was an important factor for the varying moods of Globocnik who hoped especially from you that you would emphasize for Hitler and also for the public the role of the party during the events preceding 12 March 1938. I limited myself to address this verbal and written declaration to party member Hess, and furthermore to secure the documents from the March days. In addition, I spoke at every available opportunity about the fight of the party. I did not undertake steps to give just credit to other persons for the glory which was excessively ascribed to one person, Dr. Seyss-Inquart; and I would not do that, primarily because I appear as a beneficiary, and furthermore because I believe that I would not gladden Hitler by doing so. I am also convinced that Dr. Seyss-Inquart did not act crookedly, and furthermore that Hitler does not want to commit an act of historical justice by special preference of his person, but that he is attracted to him personally. It really is of no great account to Hitler if this or that person was more or less meritorious, in this sector of the great fight of the movement. Because, in the last analysis, by far

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the greatest part is to be ascribed only to him; he alone will be considered by history as the liberator of Austria. I, therefore, considered it best to accept existing conditions and look for new fertile fields of endeavor in the party.

If I should be asked to describe - without personal interest - the role of the party according to my best conviction, I am ready to do so at any time. For this reason I promised yesterday to submit to you again a short summary, and to make it available for your confidential use. Of this letter and of this abbreviated description I retain the sole copy.

Heil Hitler!

Rainer e.h.

1 Enclosure

C O P Y.

(Report given on the 6th July 1939 by Rainer to Buerkel on the events in the N.S.D.A.P. of Austria from ..... to 11th of March 1938 (Anschluss)).

Report on the events in the N.S.D.A.P. of Austria since the beginning of the last stage of battle until the seizure of power on the 11th March 1938.

- -

In 1933 the Party fought a parliamentary battle. By the seizure of power in the Reich it gained considerably in numbers. It started to try to enforce new elections in order to gain admission into the government. By these means it should have taken over the government. The enemies recognized this fact, and the Government Dollfuss proceeded, while tolerating the reds, to force the N.S.D.A.P. from its legal plane in order to render it innocuous. In this the government used legal tricks, thereby practically doing away progressively with the democratic constitution. The first attempts of the government were answered by the Party with an increase of pressure; and the government's breaches of constitution were answered by arbitrary acts with the assumption that it might thus be able to overthrow the government. This assumption was wrong; at that time the government had the backing of all anti-German foreign countries, and it felt sufficiently strong to prohibit the N.S.D.A.P., and confession of adherance to the N.S.D.A.P., and subsequently to treat as high treason the confession in favor of the "Anschluss".

Thus the first stage of battle commenced which ended with the July rising of 1934. The decision for the July rising was right, the execution of it was faulty. The result was a complete destruction of the organization; the loss of entire groups of fighters through imprisonment or flight into the "Alt-Reich"; and with regard to the political relationship of Germany to Austria, a formal acknowledgement of the existence of the Austrian State by the German Government. With the telegram to PAPEN, instructing him to reinstitute normal relationships between the two states, the Fuehrer had liquidated the first stage of the battle; and a new method of political penetration was to begin. By order of the Fuehrer the Landesleitung Munich was dissolved, and the party in Austria was left to its own resources.

There was no acknowledged leader for the entire party in Austria. New leaderships were forming in the nine Gaus. The process was again and again interrupted by the interference of the police; there was no liaison between the formations, and frequently there were two, three or more rival leaderships. The first evident, acknowledged speaker of almost all the Gaus in Autumn 1934 was engineer REINTHALLER (already appointed Landes-

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bauernfuehrer (leader of the country's farmers) by HESS)). He endeavoured to bring about a political appeasement by negotiations with the government, with the purpose of giving the N.S.D.A.P. legal status again, thus permitting its political activities,. Simultaneously Reinthaller started the reconstruction of the illegal political organization, at the head of which he had placed engineer NEUBACHER.

The first attempt to create a legal political organization which was to negotiate with the Government while a secret illegal organization existed, did not succeed; it brought about quarells in almost all Gaus and ended with pressure of the illegal branch against the policy of appeasement of REINTHALLER, and with the latters retirement as Landesleiter (country leader). The successor, NEUBACHER, head of the illegal organization, was not recognized by all the Gaus, because meanwhile the former Gauleader of Lower Austria, Captain LEOPOLD, was released from; and he claimed the country leadership because of his seniority in the party. In Carinthia at about that time, KLAUSNER with his collaborators GLOBOCNIK, RAINER, LONGHIN and PAWLOWSKI had reconstructed and readied the Gau Carinthia. The Gau Carinthia kept away from the quarells of the leaders, and arbitrated the differences between LEOPOLD and NEUBACHER, and finally effected a solution in such a way that NEUBACHER and his adherents recognized LEOPOLD as the country leader; and LEOPOLD appointed NEUBACHER to be his deputy. The points of friction between those two groups were not yet eliminated. Those differences did not remain concealed from the police; and the police got hold of a polemic by the group of Leopold against the group of Neubacher, on the strength of this material they arrested Leopold and Neubacher.

At that time the success of the calm attitude of the Gau Carinthia was crowned by the fact that after these arrests the representatives of all the Gaus came to Carinthia to offer KLAUSNER the country leadership. By order of Klausner Dr. Rainer reported at these conferences the political referendum and developed the political conception as adopted by the Gau Carinthia on the basis of which, as a matter of fact, an agreement was reached. In July 1935 KLAUSNER became the head of the movement without, however adopting the title of country leader because he considered it wrong as long as the country leader LEOPOLD was imprisoned, but he looked upon himself as the speaker of the college of Gauleaders. With the consent of the representatives of all the Gaus, KLAUSNER at that time appointed GLOBOCNIK as co-worker for the organizational part, and RAINER as co-worker for the political part of his task.

In August some further arrests took place, the victims of which were, apart from the Gauleaders, also Globocnik and Rainer. SCHATTENFROH then claimed, because of an instruction received from the imprisoned LEOPOLD, to have been made deputy country leader. A group led by engineer RAFFELSBERGER had at this time also established connections with departments of the Alt-Reich (Ministry of Propaganda, German Racial Agency, etc.) and made an attempt to formulate a political motto in the form of a program for the fighting movement of Austria. In Spring of 1936 SCHATTENFROH was arrested; he had named party member HINTERLEITNER of Linz as his successor as managerial country leader. In March KLAUSNER was arrested in connection with the arrest of about 60 leading Nazis, whereas Dr. RAINER was released. HINTERLEITNER again followed those directives which were set down at the conferences at Carinthia in the Spring of 1935; and in May 1936 he appointed RAINER, GLOBOCNIK and engineer HIEDLER to the country leadership in the following spheres of influence:

Rainer to be chief of the political staff; HIEDLER as chief of the organization; and GLOBOCNIK as liaison officer with the Reich and as organizer of all the auxiliary bases outside of Austria.

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TRANSLATION OF EXCERPTS FROM DOC. 812/PS
OFFICE OF U S CHIEF OF COUNSEL

COPY

EXTRACTS OF REPORT ON EVENTS IN THE NSDAP OF AUSTRIA FROM 1933 TO 11 MARCH 1938 (ANSCHLUSS). GIVEN BY RAINER TO REICHSKOMMISSAR GAULEITER BURCKEL ON 6 JULY 1939.

(pp. 5-6)

The principles of the construction of the organization were: The organization is the bearer of the illegal fight and the trustee of the idea to create a secret organization, in a simple manner and without compromise, according to the principle of organizing an elite to be available to the illegal land-party council upon any emergency. Besides this, all political opportunities should be taken and all legal people and legal chances should be used without revealing any ties with the illegal organization. Therefore, cooperation between the illegal party organization and the legal political aides was anchored at the top of the party leadership. All connections with the party in Germany were kept secret in accordance with the orders of the Führer. These said that the German state should officially be omitted from the creation of an Austrian NSDAP; and that auxiliary centers for propaganda, press, refugees, welfare, etc. should be established in the foreign countries bordering Austria.

Hinterleitner already contacted the lawyer Seyss-Inquart, who had connections with Dr. Wächter which originated from Seyss-Inquart's support of the July uprising. On the other side Seyss-Inquart had a good position in the legal field and especially well-established relations with Christian-Social politicians. Dr. Seyss-Inquart came from the ranks of the "Styrian Heimatschutz" and became a party member when the entire "Styrian Heimatschutz" was incorporated into the NSDAP. Another personality who had a good position in the legal field was Col. Glaise-Horstenau who had contacts with both sides. The agreement of 11 July 1936 was strongly influenced by the activities of these two persons. Papen mentioned Glaise-Horstenau to the Führer as being a trusted person.

At that time the Führer wished to see the leaders of the party in Austria in order to tell them his opinion on what Austrian National-Socialists should do. Meanwhile Hinterleitner was arrested, and Dr. Rainer became his successor and leader of the Austrian party. On 16 July 1936, Dr. Rainer and Globocnik visited the Führer at the "Obersalzburg" where they received a clear explanation of the situation and the wishes of the Führer. On 17 July 1936, all illegal Gauleiters met in Anif near Salzburg, where they received a complete report from Rainer on the statement of the Führer and his political instructions for carrying out the fight. At the same conference the Gauleiters received organizational instructions from Globocnik and Hiedler.

(pp. 7-10)

Upon the proposal of Globocnik, the Führer named Lt. Gen. (Gruppenführer) Keppler as chief of the mixed commission which was appointed, in accordance with the state treaty of 11 July 1936, to supervise the correct execution of the agreement. At the same time Keppler was given full authority by the Führer for the party in Austria. After Keppler was unsuccessful in his efforts to cooperate with Leopold, he worked together with Dr. Rainer, Globocnik, Reinthaller as leader of the peasants, Kaltenbrunner as leader of the SS, and Dr. Jury as deputy-leader of the Austrian party, as well as with Glaise-Horstenau and Seyss-Inquart.

Regarding internal conditions, it was clear that full recognition of the party leadership was given by Seyss-Inquart. He was also in permanent contact with Capt. Leopold, and there were never any serious conflicts between them . But he also acknowledged the correctness of Dr. Rainer's political interpretations, and the actual leadership of Dr. Rainer in all political actions. The situation was much the same with Glaise-Horstenau who was wholeheartedly for Rainer and Globocnik but always carefully guarded the legal party position of Leopold.

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Due to the cooperation of the above-mentioned people with group leader Keppler and other officials of the Reich and due to the activities of other contact-men in Austria, it was possible to obtain the appointment of Seyss-Inquart as "Staatsrat" (councillor of state) in July 1937. Due to the same facts, the Chancellor Dr. Schuschnigg was forced to take a new so-called "satisfactory action!" Through all this a new and stronger political position was won in the Austrian system. The National-Socialist Party became acceptable again in the political field and became a partner with whom one had to negotiate, even when it was not officially incorporated into internal Austrian political developments. This complicated political maneuver, accompanied by the steadily increasing pressure from the Reich, led to the talks between the Führer and Schuschnigg at the Obersalzberg. Here Gruppen-führer Keppler presented the concrete political demands of the fighting underground movement; which he estimated according to his personal experiences and the information he received. The results of these talks were the right of a free acknowledgment of the National Socialist movement on the one hand and the recognition of an independent Austrian state on the other hand, as well as the appointment of Seyss-Inquart as Minister of Interior and Public Safety, as a person who will guarantee to both sides the proper carrying out of the agreements. In this way Seyss-Inquart occupied the key position and was in the center of all obvious political actions. A legal base in the government was won for the party. This resulted in a paralysis of the "system apparates (Schuschnigg government) at a time when a revolution needed to be carried out. Through this, the basis for a new attack on the Schuschnigg government was won.

Another result of the agreement was the appointment by the Führer of Leopold as a member of the Staff of Hess. After a long, personal talk with Klausner, the Führer appointed him as leader of the Austrian National Socialists, upon recommendation of Keppler.

"""The relationship between Seyss-Inquart and Klausner was as follows: Seyss-Inquart acknowledged unconditionally the party leadership and actions taken by it; and he also acknowledged Klausner as the leader of the party. As a party member he was under the command of Klausner and received orders from him. But as a result of the agreement at Berchtesgaden and the statement the Führer made to him during his state visit in Berlin, Seyss-Inquart was the personal trustee of the Führer and directly responsible to him for the illegal NSDAP in Austria within the confines of his political sphere. Seyss-Inquart also acknowledged the free political initiative of the party leader of Austria.

(Pg. 11-16)

The "Landesleitung" received word about the planned plebiscite through illegal information services, on 9 March 1938 at 10 a.m. At the session which was called immediately afterwards, Seyss-Inquart explained that he had known about this for only a few hours, but that he could not talk about it because he had given his word to keep silent on this subject. But during the talks he made us understand that the illegal information we received was based on truth, and that in view of the new situation, he had been cooperating with the "Landesleitung" from the very first moment. Klausner, Jury, Rainer, Globocnik and Seyss-Inquart were present at the first talks which were held at 10a.m. There it was decided that first, the Führer had to be informed immediately; secondly, the opportunity for the Führer to intervene must be given to him by way of an official declaration made by Minister Seyss-Inquart to Schuschnigg; and thirdly, Seyss-Inquart must negotiate with the government until clear instructions and orders were received from the Führer. Seyss-Inquart and Rainer together composed a letter to Schuschnigg, and only one copy of it was brought to the Führer by Globocnik, who flew to him on the afternoon of 9 March 1938.

"""Negotiations with the government were not successful. Therefore they were stopped by Seyss-Inquart in accordance with the instructions he received from the Führer. On the 10th March all preparations for future revolutionary actions had already been made, and the necessary orders given to all units leaders. During the night of the 10th to 11th, Globocnik returned from the Führer with the announcement that the Führer gave the party freedom of action and that he would back it in everything it did.

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TRANSLATION OF EXCERPTS FROM DOC. 812/PS
OFFICE OF U S CHIEF OF COUNSEL

Rainer then gave the final instruction for friday, the 11th of March, and explained that three situations might develope within the following days:

1st Case: The plebiscite will not be held. In this case, a great demonstration must be held.

2nd Case: Schuschnigg will resign. In this case, a demonstration was ordered in taking over the government power.

3rd Case: Schuschnigg will take up the fight. In this case, all party leaders were ordered to act upon their own initiative, using all means to capture the position of power.

Dr. Seyss-Inquart took part in these talks with the Gauleiters.

On friday, 11th March, the minister Glaise-Horstenau arrived in Vienna after a visit with the Führer. After talks with Seyss-Inquart he went to see the chancellor. At 11:30 a.m. the "Landesleitung" had a meeting at which Klausner, Rainer, Globocnik, Jury, Seyss-Inquart, Glaise-Horstenau, Fishböck and Mühlmann participated. Dr. Seyss-Inquart reported on his talks with Dr, Schuschnigg which had ended in a rejection of the proposal of the two ministers.

In regard to Rainers proposal, von Klausner ordered that the government be presented with an ultimatum, expiring at 1400 hours, signed by legal political,"Front"men, including both ministers and also State Councillors Fishboeck and Jury, for the establishment of a voting date in three weeks and a free and secret ballot in accordance with the constitution.

On the basis of written evidence which Glaise- Horstenau had brought with him a leaflet, to be printed in millions of copies, and a telegram to the Fuhrer calling for help, were prepared.

Klausner placed the leadership of the final political actions in the hands of Rainer and Globocnik. Schuschnigg called a session of all ministers for 2:00 p.m. Rainer agreed with Seyss- Inquart that Rainer would send the telegram to the Führer and the statement to the population at 3:00 p.m. and atthe same time he would start all necessary actions to take over power unless he received news from the session of the ministers'council before that time. During this time all measures had been prepared. At 2:30, Seyss-Inquardt 'phoned Rainer and informed him that Schuschnigg had been unable to take the pressure and had recalled the plebiscite but that he had refused to call a new plebiscite and had ordered the strongest police measures for maintaining order. Rainer asked whether the two ministers has resigned, and Seyss-Inquardt answered "No". Rainer informed the "Reichskanzlie" through the German Embassy, and received an answer from Göring through the same channels that the Fuhrer will not consent to partial solutions and that Schuschnigg must resign. Seyss-Inquardt was informed of this by Globocnik and Muhlmann; talks were has between Seyss-Inquardt and Schuschnigg: Schuschnigg resigned. Seyss-Inquardt asked Rainer what measures the party wished taken. Rainer's answer: Reestablishment of the government by Seyss-Inquardt, legalization of the party, and callin up of the SS and SA as auxiliaries to the police force. Seyss-Indquardt promised to have these measures carried out, but very soon the announcement followed that everything might be threatened by the resistance of Miklas. Meanwhile word arrived from the German Embassy that the Fuhrer expected the establishment of a government under Seyss-Inquardt with a national majority, the legalization of the party, and permission for the legion to return, all within the specified time of 7:30 p.m.; otherwise, German troops would cross the border at 8:00 p.m. At 5:00 p.m., Rainer and Globocnik, accompanied by Muhlmann, went to the Chancellor's office to carry out this errand

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Situation: Miklas negotiated with Ender for the creation of a government which included, blacks, reds and National Socialists, and proposed the post of Vice-Chancellor to Seyss-Inquardt. The latter rejected it and told Rainer that he was not able to negotiate by himslef because he was personally involved, and therefore a weak and unpleasant political situation might result. Rainer negotiated with Zernette. Director of the cabinet Huber, Guide Schmidt, Glaise-Horstenau, Legation Councillor Stein, Military Attache General Muffe, and the "Gruppenführer" Keppler, who had arrived in the meantime, were also negotiating. At 7.00 p.m. Seyss-Inquardt entered the negotiations again. Situation at 7.30 p.m. : Stubborn refusal of Miklas to appoint Seyss-Inquardt as Chancellor; appeal to the world in case of a German invasion.

Gruppenführer Keppler explained that the Führer did not yet have an urgent reason for the invasion. This reason must first be created. The situation in Vienna and in the country is most dangerous. It is feared that street fights will break out any moment because Rainer ordered the entire party to demonstrate at 3 o'clock. Rainer proposed storming and seizing the government palace in order to force the reconstruction of the government. The prosposal was rejected by Keppler but was carried out by Rainer after he discussed it with Blobocnik. After 8.00 p.m. the SA and SS marched in and occupied the government buildings and all important positions in the city of Vienna. At 8.30 p.m. Rainer, with the approval of Klausner, ordered all Gauloitors of Austria to take over power in all eight "gaus" of Austria, with the help of the SS and SA and with instructions that all government representatives who try to resist should be told that this action was taken on order of Chancellor Seyss-Inquardt.

With this, the revolution broke out, and this resulted in the complete occupation of Austria within three hours and the taking over of all important posts by the party. ****

The seizure of power was the work of the party supported by the Führer's threat of invasion and the legal standing of Seyss*Inquardt in the government. The national result in the form of the taking over of the government by Seyss-Inquardt was due to the actual seizure of power by the part on one hand, and the political efficiency of Dr Seyss-Inquardt in his territory on the other; but both factors may be considered only in the relation to the Führer's decision on 9 March 1938 to solve the Austrian problem under any circumstances and the orders consequently issued by the Führer.

Rainer e.h.

6.7.1939

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CERTIFICATE OF TRANSLATION
OF EXCERPTS OF DOC. 812-PS

9 November 1945.

I, WOLFGANG E. THORMANN, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of excerpts from Document No. 812-PS.

WOLFGANG E. THORMANN
M/Sgt., 33779426

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GB 265
Cited extracts read
7/2/46

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Page 1

TRANSLATION OF DOCUMENT 837-PS
OFFICE OF U S CHIEF OF COUNSEL

National Socialist German Labour Party.

Secret

Fuehrer's Deputy.

The Brown House,
Munich-33, February 3rd 1939

Secret!

Order No. 5 / 39 g

(Not for Publication)

Subject: Natinnal league of Germans abroad (Volksbund fuer das Deutschtum im Ausland) and the German Eastern League (Bund Deutscher Osten).

The Director of the Agency for Racial Germans (Volksdeutsche Mittelstelle) SS-Gruppenfuehrer Lorenz, has instigated on my behalf the following new ruling for questions affecting racial work and work in the border country.

1. The National League of Germans abroad (VDA) in the association responsible for national work beyond the frontiers. At the head of the association, the new statutes of the VDA provide for a League Directorate consisting for the most part of leading party member, in place of an independent League Director, whose office has been cancelled. Professor Karl Haushofer (Gen ret.) has taken over the chairmanship of this Directorate. Party member Paul Meike is business manager of the League Directorate of the VDA and in this capacity he combines membership of the department of the Agency for racial Germans with managing the VDA on lines which are in accordance with the instructions of the Director of the Agency for Racial Germans. Thus the VDA can no longer take action on its own which affects the whole association. The VDA is organised into State associations (Landesverbaende), which correspond in area to the Gaue of the NSDAP.

2. The German Eastern League (BDO) is the association responsible for work on the border country. SS-Oberfuehrer Dr. Betrends, the deputy of the Director of the Agency for Racial Germans, is charged until further notice with its direction. Party Member Hoffmeyer is the responsible manager of the German Eastern League. He directs its business affairs according to the instructions of the Director of the Agency for Racial Germans, and is a member of the staff of the Agency for Racial Germans. The BDO is organised into State Groups, whose regional borders correspond to those of the "Gaue" of the NSDAP.

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3. All other associations for racial work and work in the border country (Patriotic Associations) (Heimattreue Verbaende) etc. are alternately transferred, according to their activities, to the associations mentioned under 1. and 2.. The managers of VDA and the BDO are commissioned to take the necessary measures for the incorporating of these associations.

4. The VDA is solely responsible for racial work beyond the frontiers. I herewith forbid the Party, its organisations and affiliated associations from all racial work abroad. The only competent body for this task is the Agency for Racial Germans, and the VDA as its camouflaged tool. Within the Reich the VDA, generally speaking, is responsible only for providing the means for racial work beyond the frontiers. The VDA must be supported in this in every way by the Party offices. Any outward appearance of a connection with the Party is, however to be avoided.

5. The BDO is at the disposal of the Gauleiters of the frontier "Gaue" for political duties on the frontiers. In addition, the establishment of a frontier territory bureau (Grenzlandamt) for the following "Gaue" has been agreed to, in cases where such a bureau is not already in existence:

East Prussia ,

Pomerania ,

Mark Brandenburg ,

Silesia ,

Sudetenland ,

Bavarian Ostmark,

Upper Danube

Lower Danube.

In all other "Gaue", special frontier territory bureaux or representatives would be superfluous and are therefore not to be established. Should they already exist, they are to be dissolved.

The activity of the BDO and the VDA is to be supported in every way by the Party offices. The National Socialist leadership of both associations will ensure energetic co-operation on their part in all tasks assigned to them by the NSDAP. Their nature is determined by considerations of foreign policy, and the associations must bear this in mind when representing them in public.

Certified signed: R. HESS
(signed) Witt
(WITT)
Distribution: II d

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 837-PS

I, E.M. STANDRING, P.O. URNS 52o12, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 831-PS.

E.M. STANDRING
P.O. URNS 52o12

H1175 - 0047

TRANSLATION OF DOCUMENT 838 PS
OFFICE OF U.S. CHIEF OF COUNSEL

41

NATIONAL SOCIALIST GERMAN WORKERS' PARTY

The Deputy of the Fuehrer

Munich 33, 3 June 1939
The Brown House

Stabsleiter

Circular No. 122139

Subject: Adherents to Christian Science who are members of the Party

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In decree No. 51/1939, dated 6 March 1939 the deputy of the Fuehrer has forbidden that members of the Party be followers of Christian Science due to the outspoken international connections of Christian Science and he decreed that wherever double-membership exists it will have to be annulled immediately.

I request that the leaders of the organizations of the Party issue they necessary decree within the realm of their jurisdiction and also make sure that no double-membership of Christian Science and of party organizations exist.

I also request of the leaders of the affiliated organizations to make sure by issuing decrees that within their realm of jurisdiction members of the Christian Science will not hold official positions. I have no objection for members of the affiliated organizations to be members of the Christian Science.

Signed: M. Bormann

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 838 PS

8 November 1945

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. 838 PS.

GOETZ MAYER, T/5
33812169

H1175 - 0048

TRANSLATION OF DOCUMENT 840-PS
OFFICE OF U.S. CHIEF OF COUNSEL

NATIONAL SOCIALIST GERMAN WORKERS' PARTY

The Deputy of the Fuehrer

Munich 33, 14 July 1939
Brown Hans

42

Regulation No. 140/39

SUBJECT: Admission of Clergymen and Students of Theology into the NSDAP

In my regulation No. 24/37 dated 9 February 1937 I have decreed that in order to avoid the penetration of contrasts of ecclesiastical-political nature into the movement and to avoid the suspicion of a one-sided attitude for or against an existing denomination, the admission of members of the clergy into the Party is to be avoided. It turned out that the non-admission of members of the clergy into the Party is not sufficient for the purpose in question.

In his regulation No. 34/39 on the lifting of the restriction of memberships dated 10 May 1939 the Reich Treasurer of the NSDAP has done justice to this experience by decreeing that clergymen as well as other fellow Germans who are also closely connected with the church, cannot be admitted into the Party.

In addition to this I decree that in the future Party members who enter the clergy or who turn to the study of Theology have to leave the Party. This decree does not affect those students who are matriculated mainly in other factors and, not intending to become clergymen later attend only some lectures of the theological faculties.

signed: for

BORMANN

attested:
(signature illegible)

Distribution IV b

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 840-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf O-133567 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 840-PS

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

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TRANSLATION OF DOCUMENT NO 1143 -PS
OFFICE OF U.S. CHIEF OF COUNSEL.

Cited 7/2/46

Translation in full

Volkischer Beobachter
Editor: Adolf Hitler
Central Organ of the National-Socialistic
German Labor-Party

Berlin Editor
Berlin W.9, Linkstrasse.

20 Oct 32
Dr. Alfred Rosenberg, M.d.R,

Munich 13.

Dear Alfred:

I am sending you enclosed a communication from the R.W.M. forwarded to me by our confidential man ("Vertrauensmann") which indeed is very interesting. I believe we will have to take some steps so that the matterswill not be procured secretly for the Stahlhelm.

This report is not know to anybody else.I intentionally did not inform even our own long friend. I am enclosing an additional copy for Hess, and ask you to transmit the letter to Hess, by messenger, as I do not want to write a letter to Hess for fear that it might be read somewhere,

With best regards.

Yours Amo.

Airforce-organization.

Purpose: Preparation of material and training of personnel to provide for the case of the armament of the airforce,

Entire management as a civilian organization will be transferred to Colonel von Willberg (at present Commander of Breslau) who, retaining his position in the Reichwehr, is going on leave of absence,

(A) Organizing the pilots of civilianairlines in such a way as to inable their transfer to the airforce organization.

(B) Prospects to train crews for military flying. Training to be done within the organization for military flying of the Stahlhelm which is being turned over to Colonel Haenel, retired. all existing organizations for sport flying are to be used for military flying.

Directions on kinds and tasks of military flying will be issued by the Stahlhelm directorate.

The Stahlhelm organization will pay the military pilots Mk 50 per hour flight. These are due to the owner of the plane in case he himself carries out the flight.

They are to be divided in case of non-owners of the plane between flight organization proprietor and crew in the proportion of 10 to 20 to 20.

My own note: Hereby the entire organization of military flying is being turned over to the Stahlhelm.

H1175 - 0050

Page 2 Ccnt:

Military flying is ncw paid better than flying fcr advertisement (40). We therefcre have tc expect that mcst prcprietcrs cf planes cr flying asscciaticns will gc cver tc the Stahlhelm crganizaticn. It must be achieved that equal ccnditicns will be granted by thr R.W.M, alsc the N.S.D.A.P crganizaticns.

CERTIFIC.TE CF TR.NSL.TICN
CF DCCUMENT NC 1143-PS

19.11.45

I, WILL.RD EVANS.SKIDMCRE, Lt (jg) USNR 391590,hereby certify that I am thcrcughly ccnversant with the English and German languages; and that the abcve is ccrrect and true translatien cf Dccument Nc 1143-PS

WILL.RD EV.NS, SKIDMCRE
Lt,(jg) USNR.
391590

H1175-0051

OFFICE OF U S CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 1269

Law on treacherous Acts against State and Party, and for The Protection of Party Uniforms of 20 December 1934

Gesetz gegen heimtückische Angriffe auf Staat und Partei und zum Schutz der Parteiuniformen vom 20. Dezember 1934

The Government of the Reich has decided to enact the following law, which is published herewith:

Chapter 1

Article 1

1) Unless heavier punishment is sanctioned under the authority of a law previously established, imprisonment not to exceed two years shall be imposed upon anybody deliberately making false or grevious statements, fit to injure the welfare or the prestige of the government of the Reich, the National Socialist Workers Party or its agencies. If such statements are made or circulated in public, imprisonment for not less than 3 months shall be imposed.

2) Anyone committing the offense insolently and carelessly shall be punished with imprisonment not to exceed 3 months or with a fine.

3) If the offense is directed solely against the prestige of the NSDAP or its affiliated agencies, the offender shall be prosecuted only with the consent of the Fuehrer's deputy or of agencies authorized by him to initiate the prosecution.

Article 2

1) Anyone who makes or circulates statements proving a malicious, baiting or low-minded attitude towards leading personalities of the State or the NSDAP, or towards orders issued by them or towards institutions created by them - fit to undermine the confidence of the people in its political leadership - shall be punished with imprisonment.

2) Statements of this kind which are not made in public shall warrant the same punishment - provided the offender figures on his statements being eventually circulated in public.

3) The offender shall be prosecuted only by the order of the Reich Minister for Justice; in case the offense was committed against a leading personality of the NSDAP, the Reich Minister for Justice shall issue the order in agreement with the Fuehrer's Deputy.

4) The Reich Minister for Justice in agreement with the Fuehrer's Deputy shall determine who is to be regarded as a leading personality as specified in (1).

Article 3

1) Anyone who commits or threatens to commit a punishable act, or who is wearing the uniform or an insignia of the NSDAP, or carries it on his person without being a member of the NSDAP or its affiliated agencies and therefore being entitled to do so, will be punished with forced labor or in minor instances with imprisonment not to exceed 6 months.

2) Anyone who commits the offense with the intention to stir up unrest or to sow fear or terror in the population, or to create difficulties for the German Reich with a foreign power, shall be punished with forced labor not to exceed 3 years or with forced labor for life or in particularly grave cases with death.

3) According to this law, a German national may be punished also if he has committed the offense in a foreign country.

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Article 4

1) Anyone who for the sake of a material advantage or for political ends poses as a member of the NSDAP or its agencies, shall be punished with imprisonment not to exceed 1 year plus a fine or either one.

2) The offender shall be prosecuted only in agreement with the Fuehrer or with those authorized by him.

Article 5

1) Anyone who manufactures, holds in stock, sells or otherwise brings on the market Party uniforms, parts of Party uniforms, textiles, flags or insignias of the NSDAP, its affiliated agencies or organizations, without the permission of the treasurer of the Reich, shall be punished with imprisonment not to exceed 2 years.

2) Anyone who has in his possession Party uniforms and insignias without being a member of the NSDAP or its affiliated organizations, or without being entitled to possess them for any other reason, shall be punished with imprisonment not to exceed 1 year. Anyone who wears any of the above mentioned items, shall be punished with imprisonment not to exceed 1 month.

3) To be put on a par with Party uniforms, parts of Party uniforms and insignia are those uniforms, parts of uniforms and insignias which can easily be confused with them.

4) The uniforms, parts of uniforms, textiles, flags or insignias in question shall be confiscated. In case no particular person can be prosecuted or condemned, the confiscation shall take place all the same - provided conditions justify it.

5) The confiscated items shall be turned over to the Reich Treasurer of the NSDAP or to those agencies appointed by him, for future use.

6) The prosecution of the offense and the confiscation (#4, section 2) can only be undertaken in agreement with the Fuehrer's Deputy or agencies authorized by him to handle this matter.

Article 6

According to the rules set forth in this law, anyone who has obtained membership of the Party through false pretenses, is not a member of the NSDAP, its affiliated agencies or organizations.

Article 7

The Fuehrer's Deputy, in agreement with the Reich Minister for Justice and of the Interior, shall issue the necessary regulations for the execution and completion of Articles 1 to 6.

Chapter 2

Article 8

1) The regulations set forth in this law, with the exception of Article 5 (1) apply accordingly to the "Reichsluftschutzbund", the "Deutschen Lufrportverband", in agreement with the Reich Minister for Air, and by the Minister of the Interior for the Voluntary Labor Service and the "Technische Nothilfe".

Chapter 3

Article 9

Article 5 (1) will become valid on 1 February 1935. The other rules set forth in this law will become valid one day after their publication; the law on treacherous acts against the Government of the National Revolution from 21 March 1933 (RGBl I, page 135) as well as article 4 of the law on the "Reichsluftfahrtverwaltung" from 15 December 1933 (RGBl I, page 1077) are obsolete.

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Berlin, 20 December 1934

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister for Justice
Dr Guertner
The Fuehrer's Deputy and Minister without portfolio
R. Hess
The Minister of the Interior
Frick
also for the Reich Minister for Air

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1393-PS

9 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1393-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1175-0054

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

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1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Sicherung der Einheit von Partei und Staat, Vom 1 Dezember 1933.

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.' as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any infraction against dissipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necessary for the execution and augmentation of this law, particularly with reppect to the organization and procedure

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TRANSLATION OF DOCUMENT 1395-PS
Office of U.S. Chief of Counsel
Contd.

of the jurisdiction of the Party and SA. He will determine the time at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

H1175 - 0056

TRANSLATION OF DOCUMENT 1416-PS
OFFICE OF U S CHIEF OF COUNSEL

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1935 REICHSGESETZBLATT, PART 1, PAGE 1146

The Reich Citizenship Law

of 15 Sept 1935

Reichsburgergesetz

vom 15 Sept 1935

The Reichstag has adopted unanimously, the following law, which is herewith promulgated.

Article 1

1) A subject of the State is a person, who belongs to the protective union of the German Reich, and who, therefore, has particular obligations towards the Reich.

2) The status of the subject is acquired in accordance with the provisions of the Reich- and State Law of Citizenship.

Article 2

1) A citizen of the Reich is only that subject, who is of German- or kindred blood and who, through his conduct, shows that he is both desirous and fit to serve faithfully the German people and Reich.

2) The right to citizenship is acquired by the granting of Reich citizenship papers.

3) Only the citizen of the Reich enjoys full political rights in accordance with the provision of the laws.

Article 3

The Reich Minister of the Interior in conjunction with the Deputy of the Fuehrer will issue the necessary legal and administrative decrees for the carrying out and supplementing of this law.

Nuernberg, 15 Sept 1935
at the Reichsparteitag of Liberty

The Fuehrer and Reichs Chancellor
Adolf Hitler
The Reichs Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1416-PS

27 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1416-PS.

FRED NIEBERGALL
2nd Lt Inf

TRANSLATION OF DOCUMENT 1417-PS
OFFICE OF U S CHIEF OF COUNSEL

CB 258

Cited 7/2/46

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1935 REICHSGESETZBLATT, PART 1, PAGE 1333

First Regulation to the Reichs Citizenship Law
of 14 Nov. 1935

Erste Verordnung zum Reichsbürgergesetz
vom 14. Nov. 1935

On the basis of Article 3, Reichs Citizenship Law, of 15 Sept. 1935 (R.G.Bl I, page 1146) the following is ordered:

Article 1

(1) Until further issue of regulations regarding citizenship papers, all subjects of German or kindred blood, who possessed the right to vote in the Reichstag elections, at the time the Citizenship Law came into effect, shall, for the time being, possess the rights of Reich citizens. The same shall be true of those whom the Reich Minister of the Interior, in conjunction with the Deputy of the Fuehrer, has given the preliminary citizenship.

(2) The Reich Minister of the Interior, in conjunction with the Deputy of the Fuehrer, can withdraw the preliminary citizenship.

Article 2

(1) The regulations in Article 1 are also valid for Reichs subjects of mixed, Jewish blood.

(2) An individual of mixed Jewish blood, is one who descended from one or two grandparents who were racially full Jews, insofar as does not count as a Jew according to Article 5, paragraph 2. One grandparent shall be considered as full-blooded Jew if he or she belonged to the Jewish religious community.

Article 3

Only the Reich citizen, as bearer of full political rights, exercises the right to vote in political affairs, and can hold a public office. The Reich Minister of the Interior, or any agency empowered by him, can make exceptions during the transition period, with regard to occupying public offices. The affairs of religious organizations will not be touched upon.

Article 4

(1) A Jew cannot be a citizen of the Reich. He has no right to vote in political affairs, he cannot occupy a public office.

(2) Jewish officials will retire as of 31 December 1935. If these officials served at the front in the World War, either for Germany or her allies, they will receive in full, until they reach the age limit, the pension to which they were entitled according to last received wages; they will, however, not advance in seniority. After reaching the age limit, their pension will be calculated anew, according to the last received salary, on the basis of which their pension was computed.

(3) The affairs of religious organizations will not be touched upon.

(4) The conditions of service of teachers in Jewish public schools remain unchanged, until new regulations of the Jewish school systems are issued.

Article 5

(1) A Jew is anyone who descended from at least three grandparents who were racially full Jews. Article 2, par. 2, second sentence will apply.

(2) A Jew is also one who descended from two full Jewish parents, if:

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(a) he belonged to the Jewish religious community at the time this law was issued, or who joined the community later.
(b) he was married to a Jewish person, at the time the law was issued, or married one subsequently.
(c) he is the offspring from a marriage with a Jew, in the sense of Section 1, which was contracted after the Law for the protection of German blood and German honor became effectiye (RGBl. I, page 1146 of 15 Sept 1935).
(d) he is the offspring of an extramarital relationship, with a Jew, according to Section 1, and will be born out of wedlock after July 31, 1936.

Article 6

(1) As far as demands are concerned for the pureness of blood as laid down in Reichs law or in orders of the N.S.D.A.P. and its echelons - not covered in Article 5 - they will not be touched upon.

(2) Any other demands on pureness of blood, not covered in Article 5, can only be made with permission from the Reich Minister of the Interior and the Deputy of the Fuehrer. If any such demands have been made, they will be void as of 1 Jan 1936, if they have not been requested from the Reich Minister of the Interior in agreement with the Deputy of the Fuehrer. These requests must be made from the Reich Minister of the Interior.

Article 7

The Fuehrer and Reichs Chancellor can grant exemptions from the regulations laid down in the law.

Berlin, 14 November 1935

The Fuehrer and Reichs Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick
The Deputy of the Fuehrer
R. Hess
- Reich Minister without Portfolio -

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1417-PS

28 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1417-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

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1935 REICHSGESETZBLATT, Page 369-Nr. 28
dated 16 March, 1935.

TO THE GERMAN PEOPLE!

AN DAS DEUTSCHE VOLK!

When in November 1918, the German people trusting the assurances given in Wilson's 14 points, laid down their arms, after four and a half years of glorious resistance in a war which they never wanted, they believed, not only to have rendered a service to tortured mankind but also toward a great idea. Suffering the most, under the consequences of this insane battle, millions of our people faithfully grasped at the thought of a reorganization of the relation-ship between people. This would be improved by the elimination of secret diplomatic cabinet politics on one hand, and the horrible means of war on the other. The harshest results of defeat which are history appeared, to many German people as the necessary sacrifices in order to free the world once and for all of similar horrors.

The idea of the League of Nations has probably not aroused a more hearty approval in other nations than in the German which lost all earthly happiness. And so it was easy to understand, why the German people occupied and fulfilled the inane requests for destruction of armnaments. The German people, and especially the administration, were convinced that through their fulfillment of orders for disarmament, laid down at Versailles, an international disarmement program was going to be started and guaranteed. For only in a fulfillment of these orders, by both sides, lies a moral sensible justification for a demand, which if unilaterally imposed and executed, will lead to eternal discrimmination and with that, to a declaration of inferiority, of a great nation. But such a peace treaty could never be the pre-requisite for a real inner reconciliation of the people and with that lead to a pacification of the world; but it would only create an eternal burin; hatred. Germany has fulfilled the imposed disarmament obligations laid down by the Inter-Allied Control Commission.

The following were the works of the destruction of the German military power and its means which were certified to, by this commission.

A. Army

59 897	guns and barrels
130 558	machine guns
31 470	trench mortars and barrels
6007 000	rifles and carbines
243 957	machine gun barrels
28 001	gun carriages
4 390	trench mortar carriages
38750 000	projectiles
16550 000	hand and rifle grenades
60400 000	fuzes
491000 000	small arms amunition
335 000	shells
23 515	cartridges and bullets
37 60[illegible]	powder
79 500	empty shells
212 000	telephones
1 072	flamethrowers
31	armored trains
59	tanks
1 762	observation cars
8 982	wireless stations
1 240	Field bakeries
2 199	pontoons
981	pieces of equipment for soldiers and

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1935 Reichsgesetzblatt Page 369, Nr 28
Contd.

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8230 350 sets of equipment for soldiers
7 300 pistols and revolvers
180 machine gun sleighs
21 mobile workshops
12 AA gun carriers
11 caissons
64 000 steel helmets
174 000 gas masks
2 500 machines of former war industry.
8 000 rifle barrels

B. Air
15 714 fighter planes and bombers
27 757 Airplane engines

C. Navy
26 battleships
4 coast guard vessels
4 destroyers
19 small destroyers
21 schooland special ships
83 torpedo boats
315 U-Boats

Remarks to A and B.

Further under the destruction duties; vehicles of all kinds, means of gas attack and partly gas defense, gas and explosives, searchlights, sighting mechanisms, range-finding and sound-ranging devices, optical apparatus of all kinds, harnesses for horses, narrow gauge equipment, field printing shops, field kitchens, workshops, slash and stabbing weapons, steel helmets, ammunition transport material, normal and special machines of the War industry as, buildings, blueprints thereof, airplane and zeppelin hangars, etc.

Following this unprecedented historical fulfillment of a treaty, the German people had the right to expect the redemption of the introduced duties also from the other side.

Because:

1. Germany has disarmed.
2. In the peace treaty it was plainly required that Germany must be disarmed in order to set precedent for general disarmament; this means, it was said that only in Germany's armament alone lies the basis for the armament of other nations.
3. The German people were filled with such principles in its governments and in its Parties which completely agreed with the pacifistic-democratic ideals of the League of Nations and its founders.

While Germany however had fulfilled its obligations on one side of the treaty, there remained the redeeming of the obligations on the other side. That means: the high treaty-makers of the former victorious states have unilaterally released themselves from the obligations of the Versailles treaty!

Not enough that every disarmament, was in some way or another comparable to the German destruction of arms, discontinued, no! Not even a stanstill in the armament was seen, on the contrary, the armament of a whole number of states became visible. What was discovered during the War in the way of new distructive machinery now was completed in a methodical-scientific way. In the field of creating mighty tanks, fighters and bombers, uninterrupted and terrible improvements took place. New large guns were constructed new high explosive, incendiary and gas bombs were developed.

In the meantime however, the world resounded again with war cries as if there never had been a World War and never a Versailles Treaty.

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Germany was an empty powerless space, among these highly armed War states, which continually made available the most modern motorized equipment; (Kraefte) and had no defense against any menace or threat. The German people recall the disaster and suffering from fifteen years of economical distress, political and moral humiliation. It is therefore easily understood when Germany began to ask loudly for the redeeming of the promise of the disarmament of the other nations.

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Because this is clear;

The world would not tolerate a hundred year long peace but it must be an unmeasureable blessing to her. But it would not endure a hundred year long break between conqueror and conquered.

The feeling regarding the moral rectification and necessity of an international disarmament was not only active in Germany but also within many other nations. Out of the pursuance of these strengths resulted attempts to try and direct an ammament reduction by means of conferences and thereby bring about a general internationcal assismilation on a lower level.

And so resulted the first proposition for an international armament abrogation, of which we have the memory of the Mac-Donald Plan as being significant.

Germany was prepared to accept this plan and to take it as foundation of a final agreement.

It failed due to the rejection by other nations and was finally abandoned. Since the German people and Reich under such circumstances found no realization in the equality of rights solemnly guaranteed in the December declaration of 1932, the new German government saw in themselves, the guardians of the honor and the living rights of the German people; they were not in the position to continue to take part in such conferences or to belong to the League of Nations.

Even after the leaving of Geneva, the German Government was still prepared not only to consider proposals by other nations but also to make several practical proposals themselves. They undertook thereby the conception, which was coined by other nations themselves, that the creation of short service Armies are inappropriate for purposes of aggression and therefore are to be recommended for a peaceful defense.

They were therefore prepared to convert the long-service Reichswehr into a short service Army according to the wishes of other nations. Their proposals of the winter 1933/34 were practical and easy to accomplish. Their rejection as welllas the final rejection of the similar proposed Italian and English plan however led us to believe that the inclination toward a further sensible fulfillment of the Versailles disarmament provission no longer exists.

Under these circumstances, the German government was forced to t take every necessary measure which would guarantee the termination of conditions, which are just as unworthy as menacing; of the helpless defenselessness of a great people and Reich.

They started out from the same motivations as the very true expression given by Minister Baldwin in his last speech:

" A country, which is not willing to seize the necessary precautionary measures for its own protection will never have might in this world, neither moral nor material might."

The Government of the present day German Reich however, only wishes one single moral and material might; it is the power to be able to protect the peace for the Reich and with that, peace for all of Europe!

Therefore she did everything that was in her power and what could serve toward the furtherance of the peace;

1. For a long period of time she was proposed to all her neighbor nations, the signing of non-agression pacts.

2. She has sought and found an ggreeable arrangement with the eastern neighbor nation, which, thanks to the great arbitrary understanding, has for ever decontaminated the menacing atmosphere which existed when they took over the power, and it will lead to a lasting understanding and friendship between the two peoples.

3. She has finally given France the solemn security that Germany, after the effectusted arrangement of the Saar question will not place or raise anymore territorial claims against France. She believes thereby to have created, in a historically rare form the prerequisite for the termination of a hundred year long conflict between two large nations through a great political and essential sacrifice.

However, the German government must witness to its regret, that for months a continually rising rearmament is taking place in the world. She sees in the creation of a Soviet-Russian Army of 101 Divisions, which means 960,000 men in present peacetime strength, an elemant which couldlnot be forseen at the time of the composition of the Versailles Treaty.

She sees further signs of rejecting the disarmament idea, proclamated in its time, in the overdoing of similar measures. It is far from the German Government to reproach any nation. However, she sees today that through the present resolved introduction of the two-year military service in France, the basic ideas of the creation of a short service defense Army has been abandoned in favor of a long-service organization.

This, however, was one of the arguments used in the demands on Germany, to surrender its Reichswehr.

.....Under these circumstances, the German government feels that it is impossible longer to postpone takin the necessary measures for the security of the Reich, or even to hide them from the knowledge of the world.

Therefore, if it now complies with the desire, expressed in the speech of the English Minister Baldwin on November 28, 1934 for a clarification of the German intentions, then this is done:

1. IN ORDER TO GIVE THE GERMAN PEOPLE THE CONVICTION AND THE OTHER STATES THE KNOWLEDGE THAT THE MAINTAINING OF THE HONOR AND SECURITY OF THE GERMAN REICH WILL, FROM NOW ON, AGAIN BE ENTRUSTED TO THE GERMAN NATION'S OWN POWER.

2. but in order, by fixing the extent of the German measures, to invalidate those assertions which wish to imply that the German people are striving for a position of military hegemony in Europe.

What the German government desires, as the guardian of the honor and interests of the German nation, is to guarantee the extent of those means of power which are required not only for maintaining the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guaranter of the general peace.

For in this hour the German government renews, before the German people and before the whole world, the assurance of its determination never to trespass the limit of guarding German honor and the freedom of the Reich, and especially of its determination to (wish to) form, in the national German armament, not an instrumant of military attack, but rather exclusively one for defense, and thus for maintaining the peace.

In so doing, the German Reich Cabinet expresses the confident hope that the German people, which thus regains its honor, may be permitted, with independent equal right, to make its contribution to the pacification of the world in a free and open cooperation with the other nations and their governments.

In this spirit the German Reich Cabinet has today passed the following law:

Law for the Organization of the Armed Forces of March 16, 1935.

The Reich Cabinet has passed the following law which is herewith promulgated:

Section 1

Service in the Armed Forces is based upon compulsory military duty.

Section 2

In peace time, the German Army, including the police troops, transferred to it is organized into:

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12 Corps and
16 Divisions.

Section 3
The Reich Minister of War is charged with the duty of submitting immediately to the Reich Ministry, detailed laws on compulsory military duty.

Berlin, March 16, 1935

The Fuehrer and Reich Chancellor
ADOLF HITLER

The Reich Minister of Foreign Affairs
FREIHERR VON NEURATH

The Reich Minister of the Interior
FRICK

The Reich Minister of Finance
GRAF SCHWERIN VON KROSICK

The Reich Minister of Economics
Acting: HSALMAR SCHACHT
President of the Board of Directors of the Reichsbank.

The Reich Minister of Labor
FRANZ SELLTE

The Reich Minister of Justice
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

The Reich Minister of Post and traffic
FREIHERR VON ELTZ

The Reich Minister of Nutrition and Agriculture
R. WALTHER DARRE

The Reich Minister for Public Enlightenment and Propaganda.
DR. GOEBBELS

The Reich Minister for Air
HERMANN GOERING

The Reich Minister of Science Education and Popular Culture
RUST

The Reich Minister without Portfolio
R. HESS

The Reich Minister without Portfolio
KERRL

The Reich Minister without Portfolio
Dr. HANS FRANK

- - - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT 1654-PS

2 Oct. 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, hereby certify that I am thoroughly conversant with the Enlish and German languages and that the attached above is a true and correct translation of Document 1654-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

H1175 - 0064

TRANSLATION OF DOCUMENT 1942-PS
OFFICE OF U S CHIEF OF COUNSEL

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Extract from "Rechtseinrichtungen und Rechtsaufgaben der Bewegung" by Dr Otto Gauweiler (Munich 1939), page 20.

a) Amendments in Reich Legislation:

By an order of the Fuehrer, dated 25 July 1934, his Deputy, as well as appointed reviewers, were given the power to take part in the editing of bills dealing with all the departments of the Reich. On the basis of this decree, the Deputy of the Fuehrer was to be invited to all discussions of the department heads, to which he could also send his representatives. Drafts of the laws had to be presented to the Deputy of the Fuehrer in the form of reviewer's drafts (Referentenentwürfe) and not as Cabinet bills. From a special order from the Fuehrer, 6 April 35, this privilege of participation in government affairs by the Fuehrer's Deputy was expanded to include all executive decisions and orders insofar as they were published in the Reichsgesetzblatt. The Deputy of the Fuehrer can on his own initiative introduce bills, etc. regardless in what field; insofar as the good of the party is concerned, he is the man in charge.

Thus, the direct influence of the movement on the legislation and the executive branch was assured at a point where up to now the laws were an internal affair of the individual ministries. From now on, technical considerations or considerations of time cannot interfere with the requests and plans of the party.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1942-PS

15 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1942-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1175-0065

TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL

Reichsgesetzblatt, Part I, Page 141

Law to remove the distress of people and State of
24 March 1933

Gesetz zur Behebung der Not von Volk und Reich vom
24.Maerz 1933

The Reich-Parliament has resolved upon the following law which is promulgated herewith with approval of the Reich-Council after it has been established that all the requirements of legislation for changing the constitution have been complied with.

Section 1

Laws for the Reich can be resolved upon also by the Reich-Government besides the procedure provided by the constitution of the Reich. This also applies to the laws pursuant to sections 85 sub-section 2 and 87 of the Reich-Constitution.

Section 2

The laws for the Reich resolved upon by the Reich-Government may deviate from the Reich-Constitution insofar as they do not deal with the institution of the Reich-Parliament or the Reich-Council as such. The powers of the Reich-President will remain intact.

Section 3

The laws for the Reich resolved upon by the Reich-Government are issued by the Reich-Chancellor and promulgated in the Reichsgesetzblatt. They will become effective, insofar as they don't determine otherwise on the day following their promulgation. Section 68 to 77 of the Reich-Constitution are not applicable to the laws resolved upon by the Reich-Government.

Section 4

Treaties of the Reich with foreign countries relating to matters of the legislation of the Reich do not require the approval of the bodies participating in the legislation. The Reich-Government issues the rules necessary for the execution of such treaties.

Section 5

This law will become effective on the day of its promulgation. It becomes ineffective on 1. April 1937. Moreover it becomes ineffective if the present

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TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL
continued

Reich-Government should be replaced by another.

Berlin, 24 March 1933

The Reich-President
von Hindenburg

The Reich-Chancellor
Adolf Hitler

The Reich-Minister for the Interior
Frick

The Reich-Minister for Foreign Affairs
Freiherr von Neurath

The Reich-Minister for Finances
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2001-PS 12 November 1945

I, Fred Niebergall, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2001-PS

Fred Niebergall
2nd Lt.Inf.
0-1335567

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TRANSLATION OF DOCUMENT
OFFICE OF U.S. CHIEF OF COUNSEL

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1934 REICHSGESETZBLATT, PART I, PAGE 747

Law re the Sovereign Head of the German Reich
1 August 1934

Gesetz über das Staatsoberhaupt des Deutschen Reichs
Vom. 1 August 1934

The Reich Government has enacted the following law which is hereby promulgated:

Section 1.

The office of the Reichspräsident will be consolidated with that of the Reich Chancellor. The existing authority of the Reichspräsident shall consequently be transferred to the Führer and Reich Chancellor, Adolph Hitler. He shall select his representative.

Section 2.

This law is effective as of the time of the death of Reichspräsident von Hindenburg.

The Reich Chancellor
Adolf Hitler

The Reich Deputy Chancellor
von Papen

The Reich Minister of Foreign Affairs
Freiherr von Neurath

The Reich Minister of Interior
Frick

The Reich Minister of Finance
Graf Schwerin von Krosigt

The Reich Minister of Labor
Franz Seldte

The Reich Minister of Justice
Dr. Gürtner

The Reich Minister for Defense
von Blomberg

The Reich Postal Minister and
Transportation Minister
Freiherr von Eltz

The Reich Minister for Nutrition and
Agriculture
R. Walther Darre

The Reich Minister for Enlightenment
and Propaganda
Dr. Goebbels

The Reich Minister for Air Travel
Hermann Goering

The Reich Minister for Science,
Training, and Education
Bernhard Rust

The Reich Minister without Portfolio
Rudolf Hess

The Reich Minister without Portfolio
Hanns Kerrl

.....

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2003-PS

31 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2003-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

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TRANSLATION OF DOCUMENT 2018-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Cited

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1939 REICHSGESETZBLATT, PART I, PAGE 1539

7/2/46

Führer's Decree Establishing a Ministerial Council
For Reich Defense
30 August 1939
"Erlass des Führers über die Bildung eines Ministerrats für die Reichsverteidigung"
vom 30 August 1939

For the period of the present foreign political tension, I decree the following for the uniform leadership of administration and economy:

I

(1) A Ministerial Council for Reich Defense shall be established as a standing committee out of the Reich Defense Council.

(2) The standing members of the Ministerial Council for Reich Defense shall include: General Field Marshall Goering as chairman, Führer's Deputy, Commissioner General for Reich Administration, Commissioner General for the Economy, Reich Minister and Chief of the Reich Chancellory, Chief of the High Command for the Armed Forces.

(3) The chairman may draw on other members of the Reich Defense Council including further personalities for advice.

II

The Ministerial Council for Reich Defense may issue decrees with statutory effect, in so far as I have not provided for the passing of a law by the Reich Government or the Reichstag.

III

The authority of General Field Marshall Goering under the Decree for the Administration of the Four-Year Plan of October 13, 1936 (RGBl. I 887) including his power to issue instructions shall remain unaffected.

IV

The Reich Minister and Chief of the Reich Chancellory shall supervise the business of the Ministerial Council for Reich Defense.

V

I shall determine the period for the expiration date of this decree.

Berlin, 30 August 1939.

The Führer
Adolf Hitler

Göring
General Field Marshall

The Reichs Minister and Chief of the Reichs Chancellory.
Dr. Lammers.

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I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2018-P S.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

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Cited 7/2/46

TRANSLATION OF DOCUMENT 2124-PS
OFFICE OF U S CHIEF OF COUNSEL

64

1938 REICHSGESETZBLATT, PART I, PAGE 594

Decree Introducing the Nürnberg Racial Laws into the Land of Austria
20 May 1938

Verordnung über die Einfuhrung der Nürnberger Rassingesetze im Lande Österreich.
Vom. 20 Mai 1938

Pursuant to Article II of the law relating to the re-union of Austria with the German Reich, 13 March 1938 (Reichgesetz Bl. I, P. 237), the following is ordered:

ARTICLE I
LAW RELATING TO CITIZENSHIP OF THE REICH
Section 1

The following are applicable to the Land of Austria:

1. The Law Relating to Citizenship of the Reich of 15 September 1935 (Reichsgesetz Bl. I, p. 1146).

2. Section 2, Sub-Section 2, Section 4, Sub-Sections 1, 3 and 4, Sections 5 and 6, Sub-Section 1, and Section 7 of the First Decree under the Law Relating to Citizenship of the Reich of 14 November 1935 (Reichsgesetz Bl. I, p. 1333).

Section 2

The effective date of Section 1, Sub-Section 2, of the Reich Citizenship Law will be determined by the Reich Minister of the Interior.

Section 3

The elimination of Jews from public offices which they hold on the effective date of this decree will be specially regulated.

Section 4

For the application of Section 5, Sub-Section 2, of the First Decree under the Reich Citizenship Law, 16 September 1935 will be considered the effective date of the Reich Citizenship Law in Austria also, and 17 September 1935 will be considered the day on which the law for the Protection of German Blood and Honor came into effect.

ARTICLE II
THE LAW FOR THE PROTECTION OF THE BLOOD
Section 5

The Law for the Protection of German Blood and Honor of 15 September 1935 (Reichsgesetz Bl. I, P. 1146) and the First Decree for the implementation of this Law of 14 November 1935 (Reichsgesetz Bl. I, p. 1334) are applicable to the Land of Austria.

Section 6

Section 3 of the Law for the Protection of the Blood will become effective on 1 August 1938.

Section 7

For the application of Section 12, paragraph 3, of the First Decree for the implementation of the Law for the Protection of the Blood, the 16 September

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1935 is also to be considered the effective date of the Law for the Protection of the Blood in Austria.

Section 8

1. A marriage cannot be entered into unless it is proved by the testimony of the local Burgermeister of the bride's permanent residence that there is no obstacle to the marriage according to the provisions of the Law for the Protection of the Blood and of the First Decree for the implementation of this law. If the bride has no permanent residence in Austria, the competence of the Burgermeister is determined by the further Provisions of Section 3 of the General Administrative Procedure Law (Austrian BG. BL. #274/1925).

2. If the Burgermeister has any doubt about the existence of a marriage obstacle in the sense of Section 6 of the First Decree for the implementation of the Law for the Protection of the Blood, he must demand a Marriage Fitness Certificate from the bride and groom of the official physician.

Section 9

In the application of Section 15, sentence 2, of the First Decree for the implementation of the Law for the Protection of the Blood, the former possession of Austrian citizenship is equivalent to the former possession of German citizenship.

ARTICLE III
PROCEDURE REGULATIONS
Section 10

In annulment proceedings, the provisions of the Austrian Law relating to the jurisdiction and the procedure of the courts in lawsuits relating to the annulment of marriages are applicable, subject to the following limitations:

1. The suit is to be made against both spouses. If the public prosecutor or one of the spouses files an appeal, then in the first case both spouses and in the second case the public prosecutor and the other spouse are to be considered as adverse parties.

2. The regulations relating to compulsory representation by counsel are not applicable to the public prosecutor.

3. If the public prosecutor is defeated, the Treasury is obliged to refund the expenses incurred by the spouses, according to Sections 40 et seq., of the Austrian Civil Law.

4. No counsel for the defence of the marriage bond will be appointed.

5. The suit can only be filed, if both spouses are alive. If one of the spouses should die before the sentence is executed, the case is to be considered in the main as closed.

Section 11

The court of first instance has jurisdiction over violations of Section 5, Sub-Sections 1 and 2, of the Law for the Protection of the Blood.

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ARTICLE IV
CONCLUDING PROVISIONS
Section 12

If regulations introduced into Austria by this decree cannot be applied according to the letter, they are to be applied according to the spirit.

Section 13

This decree comes into effect on the day after its promulgation.

Berlin, 20 May 1938.

The Reichsminister of the Interior
Frick

The Deputy of the Führer
Hess

The Reich Minister for Justice
per Dr. Schlegelberger.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 2124-PS

7 November 1945.

I, ARNE OLSEN, 2nd Lt AUS, O-2015976, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 2124-PS.

ARNE OLSEN
2nd Lt AUS
O-2015976.

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TRANSLATION OF DOCUMENT 2307-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 237

Law concerning the Reunion of Austria with the German Reich, March 13, 1938

Gesetz über die Wiedervereinigung Oesterreichs mit dem Deutschen Reich.

The Reich Government has ordained the following law, which is hereby proclaimed:

ARTICLE I. The Federal Constitutional Law of March 13, 1938, ordained by the Austrian Federal Government, concerning the reunion of Austria with the German Reich, hereby becomes a law of the German Reich. It has the following text:

By virtue of Article 3, Section 2, of the Federal Constitutional Law concerning extraordinary measures in the constitutional field (B.G.Blatt, I, No. 255, 1934), the Federal Government has ordained:

Article 1. Austria is a province of the German Reich.

Article 2. On Sunday, April 10, 1938, a free and secret plebiscite shall be held for German men and women of Austria over twenty years of age on the question of reunion with the German Reich.

Article 3. In the plebiscite the majority of the votes cast shall decide the issue.

Article 4. The necessary regulations for the implementation and supplementing of this Federal Constitutional Law shall be provided by decree.

Article 5. This Federal Constitutional Law shall enter into force on the day of its proclamation.

The Federal Government is entrusted with the execution of this Federal Constitutional Law.

Vienna, March 13, 1938.

ARTICLE II. The laws at present in force in Austria shall remain in ofrce until further notice. The introduction of Reich law into Austria will be effected by the Fuehrer and Reich Chancellor or by the Reich Minister to whom he may delegate this power.

ARTICLE III. The Reich Minister of the Interior, in consultation with the other Reich Ministers concerned, is empowered to issue the legal and administrative regulations necessary for the implementation and supplementing of this law.

ARTICLE IV. This law shall enter into force on the day of its proclamation.

Linz, March 13, 1938.

ADOLF HITLER, Fuehrer and Reich Chancellor; GOERING, General Field Marshal, Reich Minister of Aviation; FRICK, Reich Minister of the Interior; VON RIBBENTROP, Reich Minister of Foreign Affairs; R. HESS, Deputy Fuehrer.

H1175-0074

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2307-PS

17 November 1945

I, FELIX EDWARD SHARTON, 046312, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2307-PS.

FELIX EDWARD SHARTON,
046312

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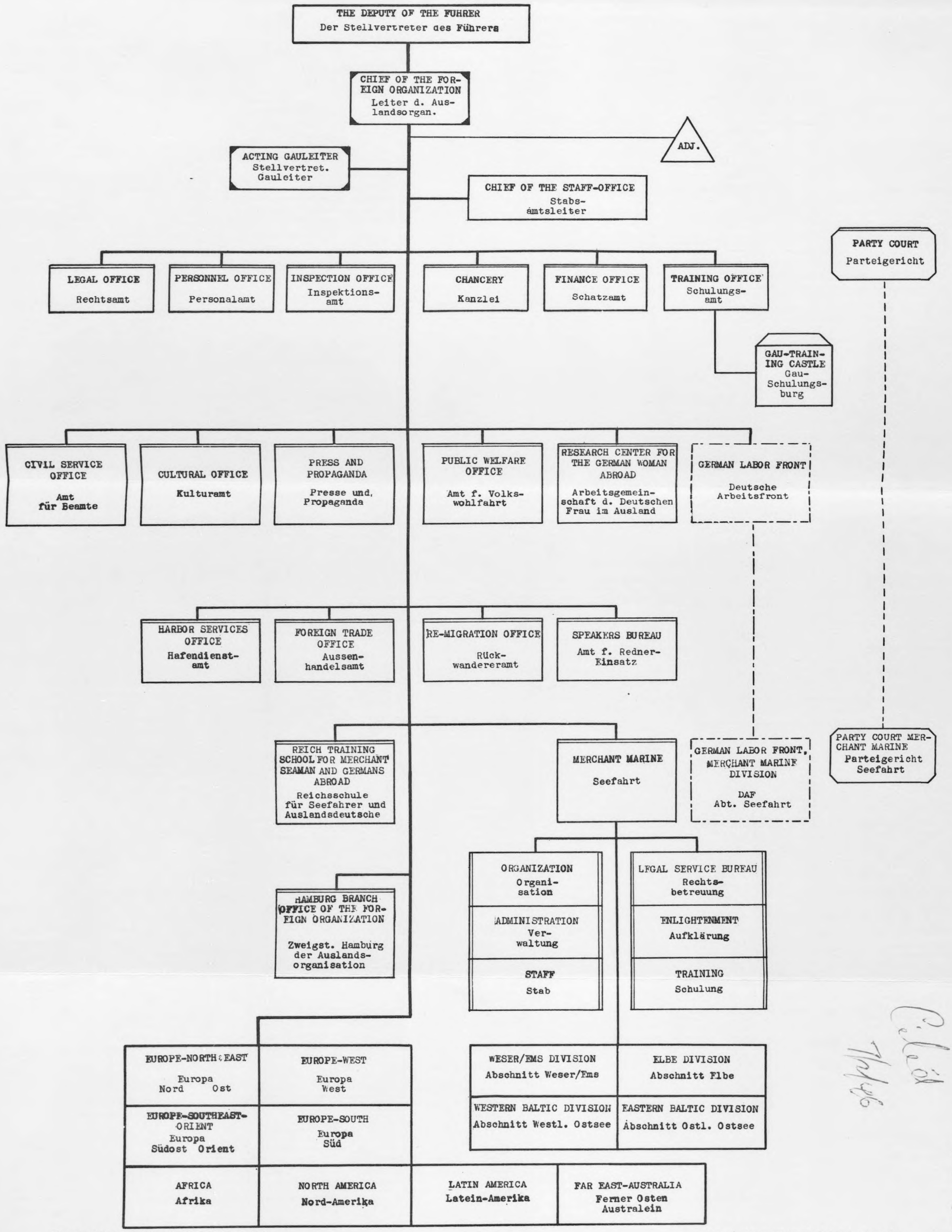
FOREIGN ORGANIZATION OF THE NDSAP
Auslandsorganisation der NDSAP



Translation of the chart on page 145 in the book entitled, "Organization Book of the NDSAP", Fifth Edition, Central Publishing Company of the NDSAP, Munich 1938.

I, KARL E. LACHMANN, X 018991, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 2354-PS.

Signed Karl E. Lachmann.
KARL E. LACHMANN
X 018991

Presentation #B SPD-OCC

2354-PS

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TRANSLATION OF DOCUMENT 2426-PS
OFFICE OF U. S. CHIEF OF COUNSEL

A. Excerpts from HESS, REDEN, Zentraverlag der NSDAP, Franz Eher Verlag, Munchen 1938.

Page 25:

1. "It is with pride that we see that one man is kept above all criticism -- that is the Fuehrer.

"The reason is that everyone feels and knows: he was always right and will always be right. The National Socialism of us all is anchored in the uncritical loyalty, in the devotion to the Fuehrer that does not ask for the wherefore in the individual case, in the tacit performance of his commands. We believe that the Fuehrer is fulfilling a divine mission to German destiny! This belief is beyond challenge."
(Broadcast speech at Cologne, 25 June 1934.)

Page 47, Par. 1:

2. "...A defenseless land represents a danger to peace. Its defenseless state only too easily induces venturesome 'excursions' of alien armies. The unarmed condition of a single country in the midst of heavily armed nations can be the temptation for ambitious men to win cheap laurels, and can be the temptation for governments to divert their own people by the foreign adventure of a war..."

Page 102, Par. 1:

3. "...By responsible persons of other lands I do not want to be understood as meaning only politicians and statesmen, but persons responsible for all aspects of the life of their people; for the application of new thoughts in Germany does not limit itself to politics but reaches out to all culture in the most embracing meaning of this word: to art and literature, to science and industry, to the defense forces of the land as well as to the working forces, to associations as well as to the family. In all its forms the life of the people is influenced or changed by National Socialism..."

Page 200:

4. "We know that the money we thereby save [by sacrifices] goes to the aid of armament. Even today the watchword applies: "Guns instead of butter!", that is, instead of more butter first more cannons, for otherwise one day our last butter will be taken from us."

Page 228:

5. "...National Socialism has seen to it that vital necessities of our nation can today no longer be talked to pieces by a Reichstag and made the object of the haggling of parties. You have seen that in the new Germany decisions of historic scope are made by the Fuehrer and his Cabinet--decisions which in other countries must be preceded by parliamentary debates lasting days and weeks."

Pages 246-7:

6. "...Some among you may perhaps have been of the opinion that today, after the former parties have vanished, the NSDAP has also no longer any right to exist. Not only does the NSDAP

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have the right to exist, but it is a necessity, and particularly so from the point of view of your own sphere of interests. It is a necessity which becomes all the greater the more politics, and the continuation of politics with other means -- such as war -- are today based on the entire people, and the more the spirit of the people is of decisive importance as regards the success of both. Just as the army organism is the technical means by which to organize and direct offensively and defensively the people's physical strength--its material and military strength -- so is the party organism the technical means with which to organize and direct offensively and defensively the spiritual and political strength of the people. At the same time both organisms mutually complement and influence one another.

B. Excerpt from ROSENBERG, Der Mythos des 20 Jahrhunderts (The Myth of the Twentieth Century.)

Pages 641-642:

"The Russians will have to confine themselves so as to remove their center of gravity to Asia."

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2426-PS

17 November 1945

I, Wolfgang E. THORMANN, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2426-PS.

WOLFGANG E. THORMANN
M/Sgt., 33779426

H1175-0078

TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

The Ad ministration in Wartime
by
Dr. Wilhelm Frick
Reichsminister of the Interior
Freiburg, I940

Lecture given by Dr. Frick on March 7, I940 before the University of Freiburg, Breisgau

pages I3-I7

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..... The organization of the non-military national defense fits ogani-cally into the entire structure of the National Socialist government and administration. This state of affairs is not exceptional, but a necessary and planned (sinnvoll) part of the National Socialist order. Thus, the conversion of our administration and economy to wartime conditions has been accomplished very quickly and without any friction-avoiding the other-wise very dangerous changes of the entire structure (of the State).

The planned preparation (of the administration) for the possibility of a war has already been carried out during the peace. For this purpose, the Fuehrer appointed a Plenipotentiary General for the Reich Administration and a Plenipotentiary General for the Economy. The Plenipotentiary for Administration was placed in charge of the coordination of the non-mili-tary administrations, with the exception of the Administration of Economics. Therefore, the following agencies were subordinated to him. the Reich Ministry of the Interior, the Reich Ministry of Justice, the Reich Ministry of Edu-cation, the Reich Ministry of Church, the Reich Agency for Planning. The Plenipotentiary General for Economy was placed in charge of the economic administration with the exception of the armament industry. It became his duty to make use of all economic forces in the interest of the defense of the Reich, and to guarantee the security of the economic existance of the German people. He took charge of the Reich Ministry of Economics, of the Reich Ministry of Nutrition, of the Reich Ministry of Labor, of the Reich Forestry Agency and the Reich Commissioner for Price Policy. The Plenipoten-tiary for Administration and the Plenipotentiary for Economics have the right to make decree laws in mutual agreement and with the agreement of the High Command of the German Armed Forces, such decree laws can deviate from exis-ting laws. In order to simplify the legislation for the purpose of war, a "three man college" was created.

The jurisdiction of the Plenipotentiary for Economy w as restricted after the outbreak of war. This restriction was the result of the compe-tition in jurisdiction between the Plenipotentiary for Economy and the Commissioner for the Four Year Plan. During the time of peace, the Commis-sioner for the Four Year Plan had the duty of bringing the economy of the Reich to a peak by using the existing raw materials and by decreasing the dependency if the German economy of foreign countries as much as possible, on the other hand, the Plenipotentiary for Economy had the special task of the economic preparation for war. After the outbreak of the war, the job of the Commissioner of the Four Year Plan had to be extended as a purely wartime economic measure. Under these circumstances, a clear demarcation of the jurisdiction and competency was urgent. This was done upon the suggestion of the Plenipotentiary for Economy in the following way.: The Commissioner of the Four Year Plan, General Field Marshal Goering, took over the direct-tion of the entire war economy, the activities of the Plenipotentiary for Economy were restricted to economic policy and to financing the war in line with the duties of the Reich Ministry of Economics and the Reich Bank. In order to guarantee the coordination of the various economic agencies of the Four Year Plan, these agencies into a General Council under the chairman-ship of General Field Marshal Goering, its members are the State Secretaries of the agencies working in the field of war economy, the Chief of the Mili-tary Office for Economy, and a representative of the Deputy of the Fuehrer.

It is the chief duty of this General Council to coordinate the work of the various agencies, receive and examine the reports on the various war machine which might become necessary. It is a working community which clears the most important questions and makes the policy for their solution. However, the execution of the various measures, especially the drafting of the necessary decrees, remains the job of the proper agencies.

The Plenipotentiary for the Reich Administration, the Commissioner of the Four Year Plan and the Plenipotentiary for Economy direct the administration and the economy which are under their jurisdiction. Since the Fuehrer was occupied, after the outbreak of the war, with urgent military and political duties, it became necessary to create an organ which would relieve him and take over the concentrated direction of administration and economy in line with the needs of the defense of the Reich. -- The military leadership remained, of course, in the hands of the Armed Forces. For this purpose the Ministerial Council for the Defense of the Reich was formed from the Reich Defense Council. Within the organization of our State, the position of the Ministerial Council for the Defense of the Reich is characterized by the fact that for the duration of the war, it became the highest permanent organ of the Reich with comprehensive jurisdiction, responsible only to the Fuehrer.

The composition of the Ministerial Council for the Defense of the Reich shows the real concentration of power in it. General Field Marshal Goering is the chairman and also the Supreme Director of the War Economy and Commissioner for the Four Year Plan. He is joined by the Plenipotentiary General for the Reich Administration, who directs the entire civilian administration with the exception of the economic administration, and the Plenipotentiary General for Economy. The Chief of the High Command of the Armed Forces is the liaison man to the Armed Forces. It is primarily his duty to coordinate the measures for civilian defense in the area of administration and economy with the genuine military measures for the defense of the Reich. The Deputy of the Fuehrer represents the Party, thus guaranteeing the unity between Party and State also within the Ministerial Council for the Defense of the Reich. The Reich Minister and Chief of the Reich Chancellory is in charge of the business management of the Ministerial Council for the Defense of the Reich.

In order to perform its duties, the Ministerial Council for the Defense of the Reich has the power to issue decree laws. This power is restricted only insofar as the Fuehrer may order the passing of a law by the Reich Cabinet or the Reichstag. Otherwise the legislative power of Ministerial Council for the Defense of the Reich is without restriction, it has the power to regulate everything by decree. The circumscription of the duties as laid down in the introductory remark on the Decree about the Formation of the Ministerial Council for the Defense of the Reich shows the goals and the laws passed by the Reich Cabinet and the Reichstag, the decrees of the cooperation of the Fuehrer. Numerous basic decrees have already been issued by the Ministerial Council for the Defense of the Reich e.g. the Decree about the Appointment of Commissioners for the Reich Defense of September 1, 1939, the Decree about Measures concernit the Law of Public Officials of September 1 1939, the Decree on War Economy of September 1 1939, the decree concerning personal Damages of September 1, 1939. By various decrees of the Ministerial Council for the Defense of the Reich, laws have been technically changed or even abolished

No further explanation is necessary for the fact that the Ministerial Council for the Defense of the Reich has the power to give directives in individual cases -- this power is not expressly mentioned in the Decree about the Formation of the Ministerial Council for the Defense of the Reich. However, this power is a result of the duties and the position of the Ministerial Council for the Defense of the Reich.

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TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

It was a result of the concentration of the power to give directives, a power which is in the hands of the individual members of the Ministerial Council for the Defense of the Reich, especially the Commissioner of the Four Year Plan and the Plenipotentiaries for the Administration and the Economy of the Reich and also of the Deputy of the Fuehrer.

The Ministerial Council for the Defense of the Reich, the highest legislative and executive organ in wartime next to the Fuehrer, created a subordinate organ for the purpose of the defense of the Reich: The Commissioners for the Reich Defense, who have their headquarters at the seat of the individual corps area.

12 Nov. 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2608-PS

I, GERHARD SCHAEFER, 2nd Lt , O-1332102, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2608-PS

GERHARD SCHAEFER
2nd Lt.
O-1332102

H1175-0081

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TRANSLATION OF DOCUMENT 2788-PS
OFFICE OF U S CHIEF OF COUNSEL

TOP SECRET
(Instructions for
handling omitted)

TOP SECRET
POL I 789 g (N)

SECRET

Notes
on the Conference on 29 March 1938, 1200 hours,
in the Foreign Office
on Sudeten German Questions.

In this conference the gentlemen enumerated in the enclosed list participated.

The Reichsminister started out by emphasizing the necessity to keep the conference which had been scheduled strictly a secret; he then explained, in view of the directives which the Fuehrer himself had given to Konrad Henlein personally yesterday afternoon that there were two questions which were of outstanding importance for the conduct of policy of the Sudeten German Party:

1. The Sudeten Germans must realize that they are backed up by a nation of 15 million which will not tolerate a continued suppression of the Sudeten Germans by the Czechoslovak Government.

2. It is the task of the Sudeten German Party to formulate such demands from the Czechoslovak Government as it deems necessary in order to obtain the privileges desired by it.

The Foreign Minister explained in this connection that it could not be the task of the Reich Government to give Konrad Henlein, whose position as the leader of the Sudeten Germans has been expressly acknowledged and again confirmed by the Fuehrer, detailed suggestions about what to demand from the Czechoslovak Government. It is essential to propose a maximum program, which as its final aim grants full freedom to the Sudeten Germans. It appears dangerous to be satisfied prematurely with the consent of the Czechoslovakian Government; this on the one hand would give the impression abroad that a solution has been found, and on the other hand would only partially satisfy the Sudeten Germans. In any case, caution is the proper thing, because one cannot have any confidence in the assurances at BENES and HODZA according to past experiences. The aim of the negotiations to be carried out by the Sudeten German party with the Czechoslovakian Government is finally this: to avoid entry into the Government by the extention and gradual specification of the demands to be made. It must be emphasized clearly in the negotiations that the Sudeten German Party alone is the party to the negotiations with the Czechoslovakian Government, not the Reich cabinet (REICHSREGIERUNG). The Reich cabinet itself must refuse to appear toward the Government in Prag or toward London and Paris as the advocate or peacemaker of the Sudeten German demands. It is a self-evident prerequisite that during the impending discussion with the Czechoslovak Government the Sudeten Germans would be firmly controlled by Konrad Henlein, would maintain quiet and discipline, and would avoid indiscretions. The assurances already given by Konrad Henlein in this connection were satisfactory.

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TRANSLATION OF DOCUMENT 2788-PS
CONT'D.

Following these general explanations of the Reich Minister the demands of the Sudeten German Party from the Czechoslovak Government as contained in the enclosure were discussed and approved in principle. For further cooperation, Konrad Henlein was instructed to keep in the closest possible touch with the Reichminister and the Head of the Central Office for Racial Germans (mit dem Leiter der Volksdeutschen Mittelstelle), as well as the German Minister in Prague, as the local representative of the Foreign Minister. The task of the German Minister in Prague would be to support the demands of the Sudeten German Party as reasonable, not officially, but in more private talks with the Czechoslovak politicians without exerting any direct influence on the extent of the demands of the Party.

In conclusion there was a discussion whether it would be useful if the Sudeten German Party would cooperate with other minorities in Czechoslovakia, especially with the Slovaks. The Foreign Minister decided that the Party should have the discretion to keep a loose contact with other minority groups if the adoption of a parallel course by them might appear appropriate.

Berlin, 29 March 1938.

R (Initial)

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TRANSLATION OF DOCUMENT 2788-PS
OFFICE OF U S CHIEF OF COUNSEL

List of those present in the conference on
Sudeten German Questions
on Tuesday, 29 March 1938 1200 hours

Present:		
Reichsminister von Ribbentrop	)	
State Secretary von Mackensen	)	
Ministerial Director Weissaecker	)	
Ambassador Eisenlohr - Prag	)	
Ambassador Stiehe	)	
Vortr. Legationsrat von Twardowski	:	FOREIGN
Legationsrat Altenburg	)	OFFICE
Legationsrat Kordt	)	
SS Obergruppenfuhrer Lorenz	)	
Prof. Haushofer	)	Central Office for Racial Germans (VOLKSDEUTSCHE MITTELSTELLE)
Konrad Henlein	)	
Karl Hermann Frank	)	
Dr. Kuenzel	:	SUDETEN GERMAN
Dr. Kreissl		PARTY.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2788-PS

11 November 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the Document No. 2788-PS.

LUDWIG HARTMAN
T/4, ASN 37446052

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Document 3061-PS

Extraordinary Envoy and Minister Plenipotentiary
COLONEL DR. B. ECER
Czechoslovak Representative on the United Nations Commission
for Investigation of War Crimes

Nurnburg, 1 December 1945

Supplement No. 2 to the Official Czechoslovak Report

called "German Crimes Against Czechoslovakia"

Presented by order of the Czechoslovak Government by Colonel Dr. B. Ecer, Plenipotentiary Minister, Czechoslovak Representative to the Commission of the United Nations for the Investigation of War Crimes in London, at the time Chairman of the Czechoslovak Delegation to the Nurnberg Proceedings.

By order of my Government I submitted in September of this year an official report to the four prosecutors of the International Military Tribunal in accordance with Article 21 of the Statute of the International Military Tribunal, as established by the Agreement of 8th August, 1945.

On 14 November, 1945, I submitted Supplement No. 1 to this report concerning Konstantin von Neurath's responsibility for crimes committed against Czechoslovakia.

Hereby I submit Supplement No. 2 to the first official report. This Supplement No. 2, which is also a government document according to the above-mentioned Article 21, contains further proof of the guilt of the defendants in regard to the preparation for an attack on Czechoslovakia. The report contains, in other words, as a supplement to the first part of the original official Czechoslovak report, further proof concerning the following actions of the defendants:

a. Pre-war infiltration by natives and by imported "Fifth Columns".
b. Subversive activity.
c. Bribery and use of corruption.

The supplement contains also further proof of the collaboration of the German Reich Government and the German Reich Nazi Party with the leaders of the German minority in Czechoslovakia - especially with the leaders of the Henlein Party (SDP) for the purpose of removing the Czechoslovak Republic and preparing the military action of the German Reich against the Czechoslovak Republic.

A number of persons in Czechoslovakia have been questioned in regard to these matters; partly by the Ministry of the Interior (Department of

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Political Intelligence Service); partly by Czechoslovak Courts of Justice.

My present report contains relevant excerpts from these statements.

1. Karl Hermann FRANK formerly the Reichs Protector's Deputy and later German Minister of State in Prague.
(Interrogated by the Ministry of the Interior)

a) Record of 15 August, 1945, in Prague.

Frank stated in this record that during the year 1938 he was several times in Germany. He participated in a trip to Breslau, together with the entire Party Administration of the SDP, in order to visit the Athletic Festival which was to take place there. He spoke there for the first time with Hitler. Hitler told Frank to "hold out and wait". Frank added in the interrogation that he interpreted Hitler's words as meaning that Hitler himself had taken the fate of the Sudeten Germans into his own hands.

In reply to the question as to who had organized the illegal crossing of the border by members of the SDP into Germany in the autumn of 1938, Frank stated that the illegal crossing of the border took place in accordance with a proclamation by Henlein dated 17 or 18 September, 1938, and published in Asch, as well as in accordance with illegal circulars, and that the people who crossed the border illegally joined the so-called Free Corps in Germany. Frank himself had, as he said, crossed the border on 17 or 18 September, 1938.

In reply to the question as to whether he realized that he thereby committed high treason, Frank answered: "I was completely aware of the fact, that by following the proclamation of Henlein, with whose proclamation I was in complete agreement, I as a Czechoslovak citizen had committed high treason in the eyes of the Czechoslovak law."

At the interrogation on 15 August, 1945, Frank stated that Henlein and his staff were at the Dondorf Castle near Bayreuth. Frank was, according to his own statement, a mere member of the staff. Henlein himself, who had the title "Freikorps Fuehrer" (Free Corps Leader), was in charge of the staff. According to Frank the Free Corps was formed at the order of Adolf Hitler, and during the last days of September in Reich German territory it was provided with a small number of small-arms belonging to the German Wehrmacht. Frank stated further that Henlein's proclamation - he meant the proclamation of 17 or 18 September, 1938 - was issued by

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Hitler's order. He admits that this proclamation may possibly have been composed in the Ministry of Propaganda. Frank then described the formation of the Free Corps, which according to his statement was composed mainly of Sudeten Germans and which had a force of approximately 15,000 men, and told of attacks and actions which the Free Corps had undertaken on Czechoslovak territory. The orders for such an action in the vicinity of Asch came, according to Frank, directly from Hitler or Himmler. Frank, himself, agreed to these actions and crossed the border for the purpose of joining the Free Corps. Frank stated further that he agreed with all of Hitler's plans in reference to Czechoslovakia, whether they were of a political or Military nature.

b) Record of 9 October 1945

In reply to the question as to who financed the Henlein Party, Frank answered that he thought the party had been receiving money from Germany since 1936. However, he did not know the source. In the year 1938 money arrived from the so-called "Volksdeutsche Mittelstelle" in Berlin (Central Office for National Germans) through the mediation of the German Ambassador in Prague. He stated that he had been with Henlein several times at the German Ambassador's in Prague and that he together with Henlein had received money for the Party from the German Ambassador. He admitted that the receipt of the money was not consistent with the duties of a Czechoslovak citizen.

He admitted also that he had gone alone to the German Embassy in Prague several times and that he informed the German Ambassador about the inner political situation in Czechoslovakia. He added "The delivery of information to Germany from the SDP by means of the Embassy began in May, 1938, and that brought about a direct, political cooperation with the delivery of confidential material also". Frank admitted that he thereby had committed high treason. After Henlein's conversation with Hitler at Obersalzberg (Frank does not give the date of this conversation but from the content of his statement it is evident that this conversation took place at the end of August, 1938) the party received direct orders from Berlin through Konrad Henlein. He admitted further that the activities described above were directed against the Czechoslovak State, that they

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were high treason and that the German Embassy in Prague was willing to assist toward this end.

c) Record of 9 October, 1945.

In the statement of 9 October, 1945, Frank explained the role played by the so-called "Aufbruchskreis". The Aufbruchskreis was a group of former National-Socialistic delegates with Kasper, Krebs and Jung at the Head. The National Socialist Party was voluntarily dissolved in Czechoslovakia in 1933, in order to prevent its being dissolved officially. Several of its leaders fled to Germany (see page 10 of the original Czechoslovak document). In 1937 several of the former National Socialists, who had remained in Czechoslovakia, succeeded in getting into the Henlein Party while several of its exponents, among them Kasper, were taken into the chief administration of the SDP. Other German National Socialists of Czechoslovakia remained permanently in Germany and carried on from there propaganda against the Czechoslovak Republic. To these belonged in particular the former member of the Czechoslovak Parliament, Krebs. Frank said that Krebs was a friend of Frick and that he had therefore been taken into the Reich Ministry of the Interior. Frank himself was in touch with the Chairman of the "Volksbund fuer das/im Deutschtum Auslande (National Society for Germanism Abroad), Steinacher, whom he met personally in Germany. Frank confirmed the fact that the "Volksbund fuer das Deutschtum im Auslande" financed the Sudeten German Party. The money was always received by Henlein. Frank stated that the purpose of this connection with the German Reich Authorities (Reichsstellen) was the establishment of national unity on both sides of the border and that it signified the preparation for a uniting of the two sides. Later, on the same day, he added to his statement the fact that this connection had existed since 1933 and that in 1936 a further connection between the SDP and Kreis was established in connection with the so-called working class (Reichsnaehrstand). Similar connections were established within the field of Party education and within the field of sports and physical education.

d) Record of 10 October 1945.

In his statement on this day Frank admitted on the basis of the documents placed before him that Konrad Henlein received direct orders for espionage from the German Reich Authorities (Reichsstellen) and that he had

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them carried out by Sudeten German persons. He believes, as he said, that there was a special German espionage system in Czechoslovakia, and that it was conducted directly by Germany. In the summer of 1938, as Frank remembers, Henlein was twice with Rudolf Hess; Frank continued his account with the words: "All conversations during the summer of 1938 between Henlein and me on the one side and the Reich Authorities (Reichsstellen), especially Adolf Hitler, Hess, and Ribbentrop, on the other side, were for the purpose of informing the Reich Authorities of the development of the political situation in Czechoslovakia. They took place at the request of the Reich authorities".

Frank told further that he had a conversation with Ribbentrop in August, 1939, through the mediation of Lorenz (Loranz, the SS-Obergruppenfuehrer, was the Leader of the so-called National German Central Office [Volksdeutsche Mittelstelle] in Berlin, which took over the role of the "Volksbund fuer das Deutschtum im Auslande") and informed Ribbentrop about the political situation in Czechoslovakia and especially about the negotiation of the Czechoslovak Government in regard to the status of the nationalities. At noon he had a conversation with Hitler, in which Ribbentrop took part. The result of this conversation was the assurance (Frank did not say by whom) that the policy of the SDP in Czechoslovakia would be approved and that the Reich would be able to carry out the solution of the Sudeten German question. Frank stated expressly that this trip to Ribbentrop and Hitler was a secret one and that Henlein was the only one who knew about it. Frank stated further that through these negotiations he committed an offense against the laws of the Republic. He added: "In reply to the question I state that I am aware of the treason which the Party and its entire chief administration committed by receiving money from a foreign country for hostile actions against the State."

e) Record of 12 October 1945.

In this interrogation on 12 October, 1945, Frank described the trip of a large majority of the Party Administration to the Parteitag of the NSDAP in Nurnberg. During this period Konrad Henlein had a conversation with Hitler (according to Frank's statement) and told Frank afterward that Hitler and Goering would take a firm stand in regard to the Sudeten German question--which actually happened. Frank continued: "I remember only that

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they both spoke sharply and threateningly against Czechoslovakia and announced the solution of the Sudeten German problem." Frank said further that after the return from Nurnberg the further activities of the SDP were already directed toward armed revolt. He quoted an order for the battle against the Republic issued by Henlein on 17 September, 1938. On the same day Frank fled with Henlein to Germany and from there they both directed all actions against the Republic. He described the activities and actions of the Sudeten German Free Corps to which, as Frank stated officers of the SS, SA and NSKK were assigned. Hitler appointed Henlein commander of the Free Corps; Frank was his deputy. Propaganda for the purpose of disintegrating Czechoslovakia was handled at this time by the Ministry of Propaganda. Arms were smuggled from Germany into Czechoslovakia. Frank added to his testimony that at that time a colonel or lieutenant colonel of the German armed forces had for the time being been assigned to the Command of the Free Corps as a liaison officer. He then described the events after the Munich agreement. He was present at a large public demonstration in Karlsbad, at which Hitler declared: "For you Sudeten-Germans the nation is ready to draw the sword".

f) Record of 15 October 1945.

Frank described the course of the occupation of the so-called Sudeten territory, how the Henlein party had become a part of the NSDAP through Hess, how the new organization of the party was carried out exactly according to the German pattern, and how, finally, the various Nazi organizations such as the SS, SA, NSKK, NSFK, HJ and BDM were established in the Sudeten territory. Frank mentioned the names of the Sudeten Germans who had been placed at the head of the various party organizations. He then described the election for the Reichstag which was proclaimed in the Sudeten territory on 4 December 1938. Finally he described the organization

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of the Reich German State Administration in the Sudeten Territory, of which Henlein, as Reich Commissioner, was the head. He confirmed the fact that the majority of the leading positions were taken over by Reich German officials. He mentioned also, how the population of the Czech territories, which had been occupied by the Germans in violation of the Munich agreement, were treated. He said, "German officials were appointed also in the Czech-speaking territory. The majority of the Czech schools were closed and the Czech children were sent to [German] schools. All signs in Czech were removed; protection for the Czech minority did not exist." When the interrogator reminded Frank that Hitler had repeatedly stated that he wanted no Czechs, Frank said: "I admit that in the annexation of purely Czech territories such as the vicinity of Domazlice, Pilzen and Turnov he (he means Hitler) has in no way complied with his declaration."

He then described the terror system which was employed against the Czechs and the Jews in the occupied Sudeten Territories. Finally he described the preparations for the final occupation of the rest of Bohemia and Moravia in March, 1939, and the cooperation with the Czech Fascists for this purpose. He characterized this latter act of Hitler's in the following manner: "Even though Hitler declared that he did not want any Czechs in the Reich, he had broken and violated this declaration by occupying the Czechoslovak Republic." And Frank added: "As everything else that Hitler undertook, this action was enthusiastically approved by the population (Frank means the German population) and the population backed it". He then described the march of the German troops into Bohemia and Moravia on 15 March, 1939, and the arrival of Hitler, who, according to Frank, was accompanied by Lammers, Frick, Stukart, Himmler, Daluege, Heydrich, Keitel, Brauchitsch and other generals. Frank, together with Henlein and Hoeppner, was summoned to Hitler in his private parlor car.

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According to his statement, he happened to be present on March 16 in the room where Ribbentrop broadcast the proclamation and the establishment of the Protektorat over the radio, and added: "Subsequently I found out that the proclamation was composed by Hitler together with Frick, Stuckart and Ribbentrop during the night of the 15 to the 16 of March, 1939". He described then, how he had been ordered to go to Vienna to see Hitler in the Hotel Imperial between the 17 and 19 March, 1939. He, together with Neurath, was received by Hitler during the forenoon. Frank continued: "Hitler told us that he was appointing von Neurath as Reich Protector and me as State Secretary". Frank stated further, that Neurath had been placed directly under Hitler. Frank accepted the position as State Secretary, although, as he said, this was in conflict with the principle of self-government which he had defended up to October 1, 1938. He did it because it was Hitler's order. He learned later on that Hitler had mentioned to Hacha that either a protective agreement in the form of a Protectorate must be made, or else the German troops would march into Czechoslovakia, and that they were ready to do so.

Concerning the occupation of Czechoslovakia in March 1939, and the establishing of the Protectorate, Frank expressed himself as follows: "The conclusion of the protective agreement between Hitler and Hacha and the establishing of a protectorate such as the establishing of an independent Slovakia with an independent protective agreement between the Reich and Slovakia signified an action of pure political force. This violated all laws, since Hacha, according to the Czechoslovakian laws, was not authorized to negotiate such an agreement with Hitler without prior consultation of the parliament still in session."

"I am aware of the fact that my appointment as Secretary of State was a one-sided political act on the part of Hitler and that

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the establishing of the Protectorate was carried out without regard for Munich, Voelkerbund, the agreement concerning the protection of minorities, etc."

2. RECORD ON 19 NOVEMBER 1945 OF MRS. MILADA RADLOVA, nee HACHOVA, DAUGHTER OF THE FORMER DECEASED SO-CALLED STATE PRESIDENT DR. EMIL HACHA (taken down by the Ministry of the Interior)

Mrs. Radlova was questioned concerning Hacha's trip to Berlin on 14 March, 1939 and his conversation with Hitler. She described her father's departure, whom she accompanied, and his arrival in Berlin, where they got off at a hotel, and said among other things: "My father has never given me a complete report of his conversation with Hitler. From his verbal remarks I only found out, that Goering said to my father during his visit with Hitler on the night between 14 and 14 March, 1939 that he would be very sorry if he were to be forced to destroy so beautiful a city as Prague, in case my father did not give his approval of the occupation of Czechoslovakia by the German Army, and if the Czechoslovak Army were to use armed force in opposition to the occupying forces. What Hitler said to my father - Dr. Hacha - I have not found out. Not until later did my father tell me that it was a great blow to him to find out that Bohemia and Moravia were to be occupied by the Germans. As a matter of fact, my father thought at first that his trip concerned Slovakia since it was known that many Slovaks, as for instance TUKA, SANO, MACH, etc., wanted to make Slovakia an independent state. Not until his arrival in Berlin on 14 March, 1939 did my father find out that on this day Moravska-Ostrava had been occupied by the Germans. He had also told me that Hitler was very much enraged, because my father arrived so late in Berlin.

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3. RECORD OF 19 NOVEMBER 1945 OF DR. AUGUST POPELKA, THE FORMER DIRECTOR OF THE CHANCERY OF THE SO-CALLED PRESIDENT OF STATE, HACHA.

Dr. Popelka stated, that he had learned about the conversation between Hitler and Hacha during the night of the 14 and 15 March, 1939 through a document which Dr. Hacha had personally composed and signed. This document was retained as a secret document in a special cabinet. Dr. Popelka, as director of the Chancery, had access to this cabinet and read the document. He recalls having read that Hacha had to wait until 0200 hours in the morning during his visit with Hitler. The room in which he waited was brilliantly lit. Hitler was surrounded by a large number of military aides. Hacha reproduced in the document a statement made by the defendant Goering to the effect that if Hacha would not accept the conditions which had been placed before him with regard to the occupation

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of Bohemia and Moravia, he, Goering would attack Prague from the air and destroy it completely in order to give England and France a warning example, so that these countries could see what would happen to their cities if they engaged in war. Hacha began the conversation with Hitler with the Slovakian question. Hitler did not react to it and told Hacha that he had just given orders for the German troops to occupy Bohemia and Moravia at 0600 hours on the 15th of March. Hitler then presented the conditions which Hacha was to accept. Hacha objected. However, that did not help. From Dr Hacha's document it was evident that he had been forced to sign the document for the German protection, that he had not voluntarily sought protection and that he signed the document under psychological pressure. Dr Popelka continued: "The document read, as I remember, that Dr Hacha was under such a mental strain during his visit with Hitler that he had an attack and had to have an injection by Hitler's personal physician, who was present. From the document and from remarks which Hacha made later in my presence, I am under the impression that Hacha acted under the pressure of Hitler's and Goering's threats against the Czechoslovak people, and that he was given no time in which to think over the matter or consult with the proper governmental agencies."

4. RECORD OF 19 NOVEMBER 1945 OF DR JOSEPH KLIMENT, FORMER POLITICAL REPORTER (REFERENTEN) FOR DR HACHA AT THE MINISTRY OF THE INTERIOR IN PRAGUE

Dr Kliment stated that he accompanied Dr Hacha as an official of his chancery to Berlin. He was not present during the conversation between Dr Hacha and Hitler. He can remember the information which Dr Hacha gave to him and other outstanding Czechoslovak persons in the Hotel Adlon when he returned at 0430 on 15 March 1939. During his visit to Hitler, Dr Hacha had wanted first of all to solve the Slovakian problem. Hitler had listened to Hacha and he had then only said that the question of Slovakia was not the object of his interest. He had decided to occupy the Czechoslovak countries with the German Armed Forces, starting at 0600 in order to secure peace in Central Europe. He added to this that his decision was final. Then Goering stepped over to Dr Hacha and

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said to him: "My official task (Amt) is difficult. I have nothing at all against your beautiful city. However, if you want to do anything at all against the decision of the Fuehrer, especially if you should attempt to get help from the West, then I shall be forced to show the world the 100 percent effectiveness of my Air Force". Dr. Hacha then told those who had accompanied him that it was not until these far-reaching threats had been directed against the entire nation that he decided to sign the declaration already placed before him concerning the protection of the Czechoslovak countries and the Czechoslovak people through the Chancellor of the German Reich.

Dr. Kliment continued: "It is clear to me, as an immediate participant of those days, that during the fateful night Hitler, Goering and the others who were present, especially Ribbentrop, employed the highest pressure that could be used against the spokesman of a people: that is, the threat to destroy completely their capital, Prague, from the air. Only the fear of reprisals against the Czechoslovak people influenced Dr. Hacha, in my opinion, to bow to the dictates of Hitler."

Dr. Hacha confirmed that during the conversation with Hitler he had received a strength-giving injection, although he had protested against it. Concerning Ribbentrop's participation in the events on 15th of March 1939, Dr. Kliment said: "Concerning Ribbentrop: Aside from the treacherous role he had played in submitting the despotic order concerning the establishing of the Protectorate, I can still remember today the overbearing and imperious manner in which he conducted himself when he took over the town."

I can report another breach of confidence which he committed against the Czechoslovak people. He had assured Dr. Hacha that it would be impossible in the Czechoslovak countries for a Sudeten-German to carry out reprisals against the Czechoslovak population. Instead of that it is common knowledge that K. H. Frank, the former Sudeten official and the arch enemy of the Czechoslovak people, was appointed to the most important Reich Office in the Czechoslovak countries. And Ribbentrop, in spite of his promises and his decisive and open participation in all the events mentioned, did nothing to keep his promises.

5.) INTERROGATION OF FORMER SLOVAKIAN POLITICAL LEADERS

The following persons, who were leaders in the so-called "Independent Slovakian State", were interrogated.

a) Dr Josef Tiso, former State President, interrogated by the district court Bratislava on 19 November 1945.

b) Dr Vojtech Tuka, former Minister, interrogated by officials of the Ministry of Interior (Department for Political Information Service).

c) Alexander Mach, former Minister, interrogated by the district Court Bratislava on the 19 November 1945.

d) Dr Mikulas Pruzinsky, interrogated by the district court Bratislava on 19 November 1945.

e) Adalar Kocis, interrogated by the district court Bratislava on 19 November 1945.

The Object of the Interrogation was:

The participation of the Nazi conspirators in the tearing away of Slovakia from the Czechoslovak Republic, carried out on 14 March 1939.

All witnesses confirmed, partly from personal experience, partly on the basis of information that they had received, the following facts:

a) That Hitler, Ribbentrop, Goering and other Nazi leaders demanded the proclamation of the "Independent Slovakian State" from Slovakian political leaders on 13 March 1939.

b) That Hitler, Ribbentrop, Goering and others at the same time threatened in various ways the occupation of Slovakia by German troops up to the river Vah and the distribution of the remainder of Slovakia among her northern and southern neighbors if the Slovaks did not declare their "independence"; whereupon during the night between the 13th and 14th of March, Ribbentrop gave Dr Tiso until 14 March at 1300 to make up his mind.

c) That incidents such as shootings, bombing attacks etc, were organized in Bratislava by Germans with the assistance of SS-officers and in cooperation with the local German Consul

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in order to justify the invasion by German troops.

I hereby submit the present document in the name of the Czechoslovak Government and I have the honor to state that my Government reserves the right to submit additional documentary material to the prosecutors.

Colonel Dr. B. ECER

/s/ Dr B. Ecer

Extraordinary Envoy and Minister
Plenipotentiary.

Representative of the Czechoslovak
Republic at the Commission of the
United Nations for the Investigation
of War Criminals

Chairman of the Czechoslovak Delegation
in the Nuernberg Process

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Precis of 3076-PS

REICHSGESETZBLATT 1939 Part I, p. 780.

Law for the building up of the administration in the Reich Gau Sudetenland.

(Sudeten Gau Law)
of the 14 April 1939.

The Reich government has decided on the following law, which is hereby published.

Article I.

Administration of the Reich Gau Sudetenland.

Para. 1

The Reich Gau Sudetenland is a state administrative district and a self-governing body.

Para.2

(1) At the head of the Reich Gau stands the Reich Governor, with his seat at Reichenberg.

(2) The Reich Governor is empowered to obtain information from the authorities of the Reich special administrations, the branches of the Organization of industrial economy and commerce, the offices of the Reich Food Office and of the Reich Chamber of Culture, as well as from the offices of other bodies in public law within the Reich Gau - and to bring to their attention the governing principles and the measures necessitated thereby. He can, within the limits of the laws and directives of the Supreme Reich Authority, give them instructions for the jurisdiction of his Reich Gau; the Supreme Reich Authorities can cancel decrees by the Reich Governor.

(3) The powers contained in sub-para 2 cannot be delegated by the Reich governor to the officials attached to him.

Para. 3

(1) The Reich governor directs the state administration as Reich administration at the Reich Gau level, under the official supervision of the Reich Minister of the Interior and in accordance with the technical directives of the Reich Ministers within their own spheres.

(2) The authorities of the Reich special administrations at the Reich Gau level, with the exception of the Reich Justice, finance, railway, and postal administrations, with their seat in the Reich Gau are attached to the Reich governor. The Reich governor stands at the head of these administrations, in which he is represented by their chiefs.

(3) Sub-para 2 applies mutatis mutandis to the provincial agricultural bureau to the extent that the Reich governor is represented in the direction of the provincial agricultural bureau by the (see PS 3075).

(4077)

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Para. 4

Para. 5

Para. 6

Para. 7

The Provincial Presidents in Aussig, Eger and Troppau are authorities subordinate to the Reich governor. The Provincial Presidents are bound to follow the directives of the Reich governor.

Article II.

Administration of the Rural and Urban Districts.

Para. 8

(1) The Reich Gau is divided up into rural and urban districts.

(2) The rural districts are state administrative districts and self-governing bodies; the urban districts are self-governing bodies.

(3) At the head of the rural district stands the Landrat (district sheriff), at the head of the urban district the mahor with the official title of Lord Mayor.

Para. 9

(1) The Landrat directs the whole state administration at the district level within the framework of the present competencies.

(2) The Reich Minister of the Interior delegates to him, in agreement with the Supreme Reich authorities concerned, the tasks and powers of the present special administrations.

Para. 10

The state administration in the urban district is directed by the Lord Major, in so far as no other regulation has been or is made for police affairs. Para a, sub-para 2 applies mutatis mutandis.

Para. 11

(1) The Landrat directs the self-government of the rural district; for the sphere of self-government he has district counsellors to advise him.

(2) As a self-governing body, the rural district has to carry out public tasks on its own responsibility.

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(3) The rural district can regulate its own affairs by statute.

(4) The direct supervision of the rural district as a self-governing body is exercised by the district President, the supreme supervision by the Rei Minister of the Interior.

Article III.

Final directions.

Para 12

Para 13

(financial arrangements)

Para 14

The Reich Minister of the Interior will issue the legal and administrative regulations necessary for the execution and completion of this law.

Para 15

This law comes into effect on the 1st May 1939.

Berchtesgaden, the 14th April 1939.

The Führer and Reich Chancellor

ADOLF HITLER.

(rest same as in PS 3075)

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TRANSLATION

PS 3077

R.G.Bl. 1939, Part I, p. 1547

Law regarding the reunion of the Free City of Danzig with the German Reich

Of the 1st September, 1939.

The Reichstag has unanimously passed the following law which is hereby announced:

Para. 1

The constitutional law issued by the Head of the State of the Free City of Danzig about the reunion of Danzig with the German Reich hereby becomes a Reich law. It runs as follows:

"Article I: The constitution of the Free City of Danzig is cancelled with immediate effect.

Article II: All legislative and executive power will be exercised exclusively by the Head of the State.

Article III: The Free City of Danzig, with its territory and population, forms part of the German Reich with immediate effect.

Article IV: Till the Führer lays down final regulations about the introduction of the laws of the German Reich, all the legal regulations that are in force at the time this constitutional law is published will remain in force, with the exception of the constitution.

Danzig, the 1st September 1939.

ALBERT FORSTER"

Para. 2

Citizens of the former Free City of Danzig are German citizens within the limits of more detailed regulations.

Para. 3

In the area of the former Free City of Danzig the present laws in force will remain valid until further notice, with the exception of the constitution of the Free City of Danzig.

Para. 4

(1) In the former Free City of Danzig the whole of Reich and Russian state legislation comes into force on the 1st January 1940.

(2) The Reich Minister concerned can lay down, in agreement with the Reich Minister of the Interior, that Reich or Prussian state legislation shall not come into force, or shall come into force later or with special regulations in the former Free City of Danzig. Such decisions need to be published in the Reichsgesetzblatt.

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(3) By the 31st December 1939 the Minister of the Interior can introduce Reich and Prussian State law by a decree, in agreement with the Reich Ministers concerned.

Para. 5

(1) The Central authority for the reunion of Danzig with the German Reich is the Reich Minister of the Interior.

Para. 6

This law comes into force on the 1st September 1939.

Berlin, the 1st September 1939.

The Führer and Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

The Fuhrer's Deputy
R. Hess

The Commissioner for the 4-year plan
Göring
General Field Marshal, Prime Minister
of Prussia

The Minister for Foreign Affairs
von Ribbentrop

The Reich Minister & Chief of the
Reich Chancellery
Dr Lammers

PARTIAL TRANSLATION OF DOCUMENT 3124 PS
OFFICE OF U.S. CHIEF OF COUNSEL

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Exhibit read

GB 253

2/2/46

RUDOLF HESS

Speeches

RUDOLF HESS

Reden

1940

Central Publishing House of the NSDAP, Franz Eher Succ. Munich

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Zentranlverlag der NSDAP, Franz Eher Nachf, Muenchen

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(Page 37, line 20 to Page 38 Complete)

On the occasion of your presence here, you yourself may review, how the German people has furnished its house or how it is in the process of doing so. I would welcome it greatly, if you would go out into the rest of the Reich as far as possible and convince yourselves, that new life arises in entire Germany, regardless whether it is in the North or South, East or West, and that the will for reconstruction is taking effect in all strata of the people.

You the no more unemployed, who populate the cities and the highways. On the contrary: Everywhere, new workers are at work. Behold for yourselves the labor service camps, which are a model for the whole world. Inspect the tremendous work on the motor highways in the entire country or the land reclaiming work on the coast. You yourself speak to the people on the outside, so that you can see, that all Germans are filled with a new spirit, that a change has taken place, deep down in our people. And then go out, to pit the truth against lie and slander abroad.

Tell the enemies and the friends of the new Germany, to the one they need not have any malicious joy, to the other, that they do not need to be anxious.

Difficulties are the incentive of action - action is the father of success. Adolf Hitler and his co-fighters have been schooled during the long years before the grasping to power, how one can master difficulties.

You can report abroad. The Germany of Adolf Hitler stands unshakable.

* * * * * * * * * * *

(Page 216 Line 35 to Page 217 Line 9)

Once when the Fuehrer was on his way to the business office, he was suddenly arrested personally. The rest of the party met, and one agreed, that now the moment had come, to stage with the active twelve or fourteen men a coup d'etat and to overthrow the government. At least, one wanted to storm into the police headquarters and to bring Adolf Hitler out of there. However, it did not come finally to this attampt of a coup d' etat, since the Fuehrer was released again before that thanks to a Poehner and FRICK, who then were on the police directorate. I believe, it would have been a disadvantage to the "GIANT PARTY" (Riesenpartei) then, if we would have staged the coup d'etat

* * * * * * * * * * *

(Page 240, line 6 to line 13)

When I spoke after16 March 1935, in the NEUFREI MANNER railroad works, which had previously been the reddest factory in MUNICH, to thousands of the same workers, who had a few years ago sung.MARSEILLAISE, about conscription, I was interrupted again and again with an applause and a jubilation, which I would never thought possible. It was the most beautiful and at the same time, the moving manifestation of my life.

* * * * * * * * * * *

(Page 242, line 8 to line 14)

The organizations of the NSDAP will be used for the enlightenment of the people in questions concerning the race and health, with the aim to improve the race and health of the nation and to increase the population. Thanks to the work of the movement, measures which, like sterilization to prevent a hereditarily diseased

Offspring, could not have been thought of before, are now considered as self-evident.

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PARTIAL TRANSLATION OF DOCUMENT 3124 PS
Continued

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(Page 243, line 16 to line 23)

Just as in the home-land, so in foreign lands Germans influenced in the Nationalsocialist sense by the National-Socialist State groups and the local groups of the NSDAP. They are being educated in such a way as to make them proudly conscious again of the fact that they are Germans, to make them hold together and to esteem eachgother. They are thus being educated to put Germans above the subjects of a foreign nation, regardless of their position or origin

* * * * * * * * * * * *

(Page 264, 3rd line from the bottom, Page 265 complete)

When you, my German co-patriots and German seamen from abroad, again take up your work and return to the foreign countries and your ships, then tell those abroad, that you have seen the land of your fathers, and that it was greater and prouder than you had dreamed. Go out and say:

Germany will live
because an Adolf Hitler lives,
and because there is a God in heaven
who is with Germany.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3124 PS

27 November 1945

I, WILLARD EL SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 3124 PS.

WILLARD E. SKIDMORE
Lt. (jg) USNR
391590

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TRANSLATION OF EXTRACTS OF DOCUMENT 3132-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Cited 7/2/46

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Dates of the history of the NSDAP

Page 15 1924 Prosecution of Hitler

February 26: Beginning of the trial at the Peoples court Munich I, at the former Infantry School in Munich, Blutenburgstrasse, presided over by District-Judge G. Neidhardt; Defence Counsel: 1). Public Prosecutor L. Stenglein. For high treason resp. aiding and abetting, are indicted: Adolf Hitler (defended by L. Roder Soliciter), General Erich Ludendorff, councillor of Supreme Court of Appeal Ernst Pöhner, High bailiff Dr. Wilhelm Frick; the leader of the "Bundes Oberland" Dr. Friedrich Weber; The founder and leader of the"Reichskriegsflagge" (Reichwar flag) Captain Ernst Röhm retired; the leader of the S.A. Regiment Munich, First Lieutenant D. Wilhelm Brückner retired; Second Lt. Robert Wagner (since March 25, 1925, Gauleiter of the NSDAP Baden); the military leader of the "Deutschen Kampfbundes" (German battle league) 1st Lt. Hermann Kriebel retired and the stepson of Lündendorff, 1st Lt. Heinz Pernet retired. March 27: Hitlers summary April 1: Announcement of Verdict: Hitler, Weber, Kriebel and Pöhner sentenced to five years imprisonment in a fortress for high treason. (Probation after serving 6 months of sentence proposed), Brückner, Röhm, Pernet, Wagner and Frick for aiding and abetting high treason, sentenced to 1 year and three months imprisonment in a fortress (Probation effective immediately). Ludendorff acquitted. (The Public Prosecutor proposed 2 years imprisonment in a fortress for him). On the other hand the court declines (accordint to #9, part 2, Law for Security of the republic, of July 21, 1922) deportation of the "foreigner" Hitler. On April 1, Hitler, Weber and Kriebel transferred to fortress Landsberg to immediately begin carrying out their sentences. Pöhner at fortress Landsberg from January 5 to March 31, 1925. (died April 11, 1925 in a car accident).

In special trials sentenced to imprisonment in a fortress, for high treason: Rudolf Hess, (born April 26, 1894, in Alexandria; SA-Führer in Munich, 1921-23 leader of the NS University group at Munich) (page 16) Adolf Hühnlein, Julius Streicher, Max Amann, Gregor Strasser (Gauleiter and SA leader of Lower Bavaria) Edmund Heines (SA leader in Munich), ong the 28 of April (above page 13) 40 members of the "Shocktroop Hitler" (Stosstruppe Hitler), among them Emil Maurice (above page 6), Hitlers present Adjutant Julius Schaub and the present Oberbürgermeister of Munich, Karl Fiehler.

Page 21

1925 Reorganisation and reconstruction of the NSDAP (1925-1926).
July 18: The first volume of Hitlers book: "Mein Kampf" (original proposed title: "4½ years battle against falsehood, stupidity and cowardice)" is published, which Hitler dictated to his secretary Rudolf Hess during his imprisonment in the fortress (secondedition, December 11, 1925).

Page 28

1930

Nat. Soz. Minister of the Interior in Thüringen (1930/31).

January 23: By reason of the results of the Provincial Diet Elections on Dec. 8, 1929 (above p. 27) the Nazi member of the Reich-Parliament Dr. Frick is elected, with 28 against 22 votes (Communists, Social Democrats, Democrats), Minister of the Interior and National Education of Thüringia the first Nazi Minister. Baum, (Peasant-Party) is elected Minister Presiden. Resulting from intervention by Reich Minister of the Interior Severing in internal matters of Thüringen, (lifting of ban

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Page 28 (cont'd)

on the national youth organisation "Eagle and Falcon") and the alleged intervention of Nazis in the Thuringian State Police Conflict between Frick and Severing, which on March 18, interrupts the official relations between the Reich and the State Ministry of Thuringia and on the 20th stops the payment of Reich Subsidies for Thuringia. After resignation of Müller's Reich Cabinet (March 27) of which Severing is also a member, the dispute is amicably settled on April 10th in a conference between the Minister President Baum, and the new Minister of the Interior, Wirth; Abolishing of suspension of subsidies. Important law, authorising economisation and reduction of personnel, passed in the Diet on March 25, with 28 against 25 votes. Execution of the necessary administrative reorganisation. Balancing of the budget. Nomination of Prof. Schultze-Naumburg as Principal of the United Academies of Art in Weimar and of ethnologist Dr. Günther as professor at the University of Jena, contrary to the wishes of the faculty. Emphasising of German culture (Decree of April 5: Opposition of Negro-culture, Preservation of German national traits); on April 16: Introduction of new school prayers, which, according to a finding of the Supreme Court at Leipzig on July 11, in three cases violated article 148 of the Reich Constitution. On May 17 on occasion of the nationalisation of the Thuringian Police Force, nomination of two Nazi officials, (Hellwig Ortlepp) as Director of Police of Weimar and Director of the Provinicial Criminal Police, granted by the State Ministry of Thuringia; subsequently, Wirth on June 6, suspends once more the payment of Reich Subsidies to the Police Force. On December 22: Settlement of the dispute before the Supreme Court in Leipzig in a compromise favorable for Thuringia, between Frick and Wirth, who has no other alternative to avoid a public defeat.

Page 45

Führer's Final Struggle for Power (August-December 1932)

1932

December 15: Dissolution of the department of political economy (main dept. Iv.) and of the National Economic Council of the NSDAP, (under Feder and Walther Funk) created on Sept. 22. Forming of a political Central Commission under Rudolf Hess, to guarantee uniformity in carrying through the political struggle.

Page 46

Nomination of Führer (January 1933)

1933

January 4: Confidential conference between the Führer and Papen at the home of the banker Kurt Von Schröder in Cologne (present Hess and Himmler) about the participation in a future government.

Page 50

VI. The Third Reich and the NSDAP since 1933

1933

March 5 - 7: Reich Minister of the Interior Dr. Frick intervenes in Hamburg, Bremen, Lübeck, Hesse, Baden, Würtemberg, Saxony and Schanmburg-Lippe and assumes police authority. (Page 51)

March 8: Establishing of a Nazi Government in Hamburg under Bürgermeister Krogmann (on the 4 and 5; resignation of the previous Senate

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Page 51 (cont'd)

under Bürgermeister Dr. Petersen); since July 30, 1936 the Hamburg Government is under the direction of Reich Governor Kaufmann (up to April 1, 1938, /Validity of the "Law on the constitution and administration of the Hansestadt Hamburg"; below p. 727

March 9: Nazi Revolution in Bavaria, spreading from Angsburg, where Gauleiter of the NSDAP (since 1928) Karl Wahl, was the first one in the morning, to have the swastika hoisted on the City hall. On account of the dangerous situation in Bavaria, where the cabinet Held-Stützel is still in power, Reich Minister of the Interior, Frick, appoints Lieutenant General, Ritter Franz von Epp Reich Commissionar ofBavaria, who forms a commissionary State Government on March 10; Reichsführer SS Himmler Commissionary Police President of Munich; on the 16 resignation of the Held government; Epp commissionary Minister President.

March 10: Resignation of the Baden Government (Schmitt) and of Saxonia (Schieck); here SA Obergruppenführer Manfred von Killinger was appointed Reich Commissioner.

March 11: Exclusively Nazi government in Baden, (Gauleiter Robert Wagner, /since March 8 Reich Commissioner7, Walter Köhler, Otto Wacker, Johannes Rupp).

Page 61

The first 4 year plan and Germany's struggle etc.

1934

April 16: Creation of the: "Official Party Examining Body for the protection of Nazi literature" under the Reich Manager of the NSDAP (until October 15, 1934) Philipp Bouhler.

May 1: Resignation of Goering as Minister of the Interior of Prussia.

On proposal of Goering, dated March 17, the Führer nominated Reich Minister of the Interior, Dr. Frick, also as Minister of the Interior of Prussia.

Page 62

VI. The Third Reich and the NSDAP since 1933

1934

July 10: The deputy of the Führer, Rudolf Hess, decrees the appointment of a "University commission of the NSDAP", under his supervision.

July 18: The "Nazi league of german students" (above p. 21) is directly subordinated to the deputy of the Führer and on July 30 furthermore assimilated into the Reich direction and the Gau Staff of the NSDAP. (Albert Derichsweiler successor to Oskar Stübels /below p. 107 nominated Director of the "student league", since Nov. 5, 1936. Dr. Gustav Adolf Scheel), since Nov. 14, 1934, the sole represent tive for political and philosphical education of German students.

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Page 67

1935 The first 4 years plan and the struggle of Germany etc.

July 24: Founding of "Nazi (NSD) society of university professors" (Dozentbund) (under Prof. Dr. Walter Schultze; above p. 14) as an organisation of the NSDAP. (on April 24, 1936, ordering of personal Union between Society of university professors and university teachers staffs.

CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
No. 3132-PS

1 December 1945

I, EVELYN GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thouroughly conversant with the German and English languages; and that the above is a true and correct translation of Extracts of Document 3132-PS.

EVELYN GLAZIER
P/O, W.R.N.S.
37371

H1175-0110

TRANSLATION OF DOCUMENT 3163 PS
OFFICE OF U.S. CHIEF OF COUNSEL

104

NATIONAL SOCIALIST YEARBOOK
1941

Editor: Reich Organizationsl
Leader of the NSDAP
Dr. ROBERT LEY

Edition 15

Central Publishing House of the
NSDAP -- FRANK EHER, Successor
Munich

Pages 219 - 222

Cited
7/2/46
US 255

THE DEPUTY OF THE FUEHRER

RUDOLF HESS

Munich, Brown House, Brienner Strasse 45.

Chief Adjutant:
Reichsamtsleiter ALFRED LEITGEN

Adjutants: Reichshauptstellenleiter KARL-HEINZ PINTSCH
Reichshauptstellenleiter GERHARD WINKLER
Reichshauptstellenleiter GUENTHER SOROF

By decree of the Fuehrer of April 21, 1939, the Deputy of the Fuehrer received full power "to decide in the name of the Fuehrer in all matters concerning the Party leadership". Thus the Deputy of the Fuehrer is the representative of the Fuehrer with full power over the entire leadership of the National Socialist German Workers' Party. The office of the Deputy of the Fuehrer is therefore an office of the Fuehrer.

In essence, it is the duty of the Deputy of the Fuehrer to direct the basic policies of Party work, to give directives and to take care that all Party work be done according to National Socialist principles.

All the threads of the Party work are gathered together by the Deputy of the Fuehrer. He gives the final Party word on all intra-Party plans and all questions vital for the existence of the German people. The Deputy of the Fuehrer gives the directives required for all the Party work, in order to maintain the unity, determination and striking power of the National Socialist German Workers' Party as the bearer of the National Socialist philosophy.

In addition to the duties of Party leadership, the Deputy of the Fuehrer has far reaching powers in the field of the State; these are:

1. Participation in national and state legislation (laws and decrees) including the preparation of Fuehrer orders. The Deputy of the Fuehrer in this way validates the conception of the Party as the guarder of the National Socialist philosophy. (Fuehrer orders of July 27, 1934, and April 6, 1935)

2. Approval of the Deputy of the Fuehrer of proposed appointments for (government) officials and Labor Service leaders. (Decrees of the Fuehrer of September 24, 1935, July 10, 1937 and April 3, 1936).

3. Securing the influence of the Party over the self-government of the municipal units. (Section 18 of the German Municipality Decree; Section 3, paragraph 5 of the First Decree for the Execution of the Ostmark Law of June 10, 1939 and Section 2, paragraph 5 of the First Decree for the Execution of the Sudeten Gau Law of June 10, 1939.)

Staff Leader of the Deputy of the Fuehrer
Reichsleiter MARTIN BORMANN, Munich, Fuehrer Building

H1175-0111

Personal Assistant:
Reichshauptstellenleiter Ministerial Councillor Dr. KURT HANSSEN
Adjutant: SS Hauptsturmfuehrer LAACKMANN

Office of the Deputy of the Fuehrer in Berlin:
Liaison Staff of the NSDAP
Oberdienstleiter HERBERT STENGER, Berlin W. 8, Wilhelmstr. 64

STAFF

Staff Manager:
Reichsamtsleiter KARL WINKLER, Munich, Brown House, Briennerstr. 45

Expert for intra-Party Matters:
Oberbefehlsleiter HELMUTH FRIEDRICHS, Munich, Fuehrer Building

Expert for Constitutional Problems:
Oberfehlsleiter Ministerial Director WALTER SOMMER, Munich, Arcis Str. 11

Special Deputy of the Deputy of the Fuehrer:
Oberdienstleiter GUSTAV OEXLE, Nussdorf/Bodensee.

Main Archives of the NSDAP
Reichsamtsleiter Dr. HEINRICH UETRECHT, Munich, Barer Str. 15.

Official Party Examining Committee for the Protection of NS Literature:
Reichsleiter PHILIPP BOUHLER,
Stabsleiter and Representative: Oberdeinstleiter KARL HEINZ HEDERICH,
Berlin, W. 35, Friedrich Wilhelm Str. 13.

The Leader of the Foreign Organization:
Gauleiter ERNST WILHELM BOHLE, Berlin-Wilmersdorf, Westfaelische Str. 1.

Deputy in Charge of the Reconstruction of the Reich:
Gauleiter ADOLF WAGNER, Munich, Brown House, Brienner Str. 45.

Deputy for all Questions of Technology and its Organization:
Oberbefehlsleiter Dr. Engineer FRITZ TODT, Berlin W. 8, Pariser Str.
Platz 3.

Expert for all Matters of National Health:
Befehlsleiter Dr. LEONARDO CONTI, Munich, Karlstr. 21

Racial Policy Office of the NSDAP:
Oberdienstleiter Dr. Med. WALTER GROSS, Berlin W. 8, Wilhelmstr. 63

Office for Clan Research:
Reichsamtsleiter Dr. KURT MAYER, Berlin NW 17, Schiffbauerdamm 26

Expert for Problems of Employment, for Finance and Tax Policies:
Oberbefehlsleiter FRITZ REINHARDT, Berlin W. 8 Wilhelm Platz 1-2

Expert for Political-Technical Questions:
Reichsamtsleiter THEO CROMEISZ, Regensburg, Prueninger Str. 112.

Deputy for Construction:
General Building Inspector Oberdienstleiter PROF. ALBERT SPEER, Berlin-
Charlottenburg, Lindenallee 16.

Reich Camp of the NSDAP, Bad Toelz:
Oberdienstleiter MARTIN SEIDEL

Reich School of the NSDAP, Feldafing/Starnberger See:
Reichsamtsleiter JULIUS GOERLITZ.

H1175-0112

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PS 3179

Law for the Protection of the German Blood and of of the German Honour

of 15 September, 1935.

Permeated by the knowledge that the purity of the German blood is the hypothesis for the permanence of the German people and animated by the inflexible determination to safeguard the German nation for all time, the Reichstag has unanimously decreed the following law which is hereby published:-

1.

(1) Marriages between Jews and citizens of German or similar blood are forbidden. Nevertheless contracted marriages are invalid even if they are contracted abroad within the scope of this law.

(2) The proceedings for annulment can only be brought by the Public Prosecutors.

2.

Extra marital intercourse between Jews and citizens of German and similar blood is forbidden.

3.

Jews may not employ female citizens of German and similar blood under 45 years of age in their households.

4.

(1) Jews are forbidden to hoist the Reich and national flag and to display the colours of the Reich.

(2) On the other hand the display of the Jewish colours is permissible. The practice of this authorisation is under State protection.

5.

(1) Whoever acts contrary to the prohibition of I will be punished by penitentiary.

(2) The man who acts contrary to the prohibition of 2 will be punished by imprisonment or penitentiary.

(3) Whoever acts contrary to the terms of 3 or 4 will be punished by imprisonment up to 1 year and by fine or by one of these penalties.

(4122)

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6.

The Reich Minister of the Interior issues in agreement with the Fuehrer's Deputy and the Reich Minister of Justice the legal and administrative regulations necessary for the execution and supplementing of the law.

7.

The law comes into force on the day of publication.

3 however only on 1 January 1936.

Nurnberg, 15 September 1935,
on the day of the Reich Party Rally of Freedom.

The Fuehrer and Reich Chancellor
ADOLF HITLER

The Reich Minister of the Interior
FRICK

The Reich Minister of Justice
DR. GUERTNER

The Fuehrer's Deputy
R. HESS
Minister without portfolio.

(4123)

H1175-0114

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PS 3180

REICHSGESETZBLATT

1 October 1935

Decree about the participation of the Deputy Fuehrer in the appointment of officials of 24 September 1935.

I

The Deputy Fuehrer has to participate in the appointment of officials who are appointed personally by the Fuehrer and Reich-Chancellor (co pare Fuehrer's and Reich-Chancellor's decrees of 1st February 1935 - Reichsgesetzblatt I, pages 73 and 74 concerning the appointment and discharge of Provincial or Reich-officials).

II

The participation of the Deputy Fuehrer will take the form of his receiving a copy of the recommendation for promotion which must contain more detailed information about the official to be promoted. The Deputy Fuehrer must be given reasonable time to express his opinion.

Munich, 24th September 1935.

The Fuehrer and Reich Chancellor

ADOLF HITLER

The Deputy Fuehrer

R. HESS
Reich-Minister without portfolio

The Reich-Minister of the Interior

FRICK

Certificate of Translation

4th January 1946.

I, L.Hill, Major, Northumberland Hussars, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of document PS 3180.

L.Hill
Mjr. N.H.

(3477)

H1175-0115

109

PS 3182

REICHSGESETZBLATT 1936, Part I, p.373.

Decree concerning participation of the Deputy Fuehrer in the appointment of leaders and heads of departments of the Reich Labour Service

of 3rd April 1936.

I

The Deputy Fuehrer has to participate in the appointment of those leaders and heads of departments of the Reich Labour Service who are appointed by the Fuehrer and Reich Chancellor personally. (Compare Para.11, sub-para. 5 of the law for Reich Labour Service of the 26th June 1935 - RGBl I, p.769).

II

The Deputy Fuehrer's participation has to take the form of his receiving a copy of the proposal for promotion which must contain detailed information about the leader or the departmental chief of the Reich Labour Service who is to be promoted. The Deputy Fuehrer must be given a reasonable time to express his opinion.

Berlin, 3rd April 1936.

The Fuehrer and Reich Chancellor
ADOLF HITLER

The Deputy Fuehrer
R.HESS
Reich Minister without portfolio

The Reich Minister of the Interior
FRICK

Certificate of Translation

4th January 1946.

I, L.Hill, Major, Northumberland Hussars, 217840, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of document PS 3182.

L.Hill
Mjr. N.H.

(3915)

H1175-0116

110

3183-PS.

REICHSGESETZBLATT PART I

20th October.1936.

Reich regulations for the enlistment, employment and promotion of Reich and Provincial Officials, of the 14th Oct.1936.

Basic conceptions — Para 1.

Definitions of "Enlistment", "Employment", and "Promotion".

Enlistment. — Para 2.

Enlistment regulations (candidates for Employment)

Employment. — Para 3.

Employment regulations.

Para 4.

(1) Candidates for the higher posts must pass State examinations.

(2) Candidates can only be given permanent employment after 4 years public service (with the exception of certain officials such as architects, doctors, teachers etc., who after their final university examinations worked in their profession).

These may be remitted up to 3 of the 4 years.

(3) Preferential treatment for Party members who pass the exam with well above average success. They can be employed already after three or, under special circumstances, after two, one and a half or even one year.

(4) . . . . . .

(5) Service in a senior position in the Party, its institutions and organisations counts as service as a candidate.

Para 5.

Restrictions for candidates who failed to pass the State test.

Para 6.

Regulations for employment of Highest State Officials.

Para 7.

Qualifications required of lesser employees.

Promotions — Para 8.

Only those officials can be promoted who besides fulfilling their general duties as officials without reservations and

(a) Have clearly proved by their previous political attitude and have shown since the 30th of January 1933 that they support the National-socialist state unconditionally and under all circumstances and represent it effectively,

(3871)

H1175-0117

(b) Have shown documentary proof that they and their wives or husbands are of German or related blood

(c) and are fully qualified for the higher position.

Para 9.

Only one promotion a year for any one official

Para 10.

. . . . . .

Para 11.

. . . . . .

Para 12.

(1) . . . . . .

(2) Preferential treatment for very active Party Members (not merely members)

Para 13.

Reconstruction of the Reich administration and its effect on promotions.

Para 14, 15, 16.

. . . . . further details about promotion.

Exceptions. Para 17.

(1) The Reich Ministers of the Interior and Finances are authorised to deviate from certain regulations.

Final regulations. Para 18.

General regulations

. . . . . .

. . . . . .

Signed Adolf Hitler
Frick
Reinhardt (for Minister of Finances)
R. Hess

(4) If there are reasons why employment or promotion seems justified because members of the NSDAP are concerned who deserve well of the National Socialist Movement because of their activities before the 30th January 1933, the Reich Minister of the Interior will previously obtain for the Führer's deputy a statement to the effect that the special services to the National-Socialist Movement justify the preferential treatment requested.

3879.

H1175-0118

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P S 3184

REICHSGESETZBLATT 1937

Part I, Page 769.

Order of the Fuhrer and Reichchancellor re Appointment of Civil Servants and the termination of employment as Civil Servants

of 10th July, 1937.

Following upon the cancellation of my orders regarding the appointment and discharge of Reich and provincial Civil Servants of February 1, 1935 (R.G.Bl. VI, p.7473) and re the participation of the Fuhrer's deputy in the appointment of Civil Servants of 24 September 1935 (R.G.Bl. I Page 1203), I issue the following order based on paras 24, 34, 66 and 78 of the German Civil Service Law of 26 January 1937 (R.G.Bl. I p.39 ff):-

I

(1) I reserve the right to appoint and retire established Civil Servants of Reich salary Classes A 2 c 2 and above or of corresponding provincial salary classes, unless otherwise decreed by special order. These Civil Servants will receive their discharge through me in accordance with paras 60, 61 and 63 D B G, but in accordance to para 61, only in so far as they at any time can be placed on the waiting list. Civil Servants whom I have placed on the waiting list may, in cases where they do not need to be formally appointed by me, be re-employed as established Civil Servants in the service of the state only with my consent. I retain the right to transfer State Secretaries, Ambassadors, directors of Ministries, Envoys I Class and Chief State prosecutors from the waiting lists to the retired list.

(2) Proposals are to be made by the competent Reich minister and for Prussia by the Prime Minister.

(3) The Fuhrer's deputy is to be consulted before proposals for the appointment of a Civil Servant and for his direction in accordance with sub-paragraph I, sentence 3 is made, except in the case of a Wehrmacht official

II

(1) I transfer the exercise of my right to appoint, to retire or to discharge all other servants, provided I have not made other reservations in accordance with Part I, to the Reich ministers and for Prussia, to the Prime Minister, who can in their turn further transfer their authority with the consent of the Reich Ministers of the Interior and of Finance.

(2) In special cases, I retain the right of personal decision in respect of these Civil Servants too.

III

The necessary instructions for the execution of this order are to be issued by the Reichministers of the Interior and Finance.

Berchtesgaden 10th July, 1937

3952)

The Fuhrer and Reichchancellor.
Adolf Hitler
Reich Minister of the Interior
Frick.

H1175-0119

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PARTIAL TRANSLATION OF DOCUMENT 3189-PS
OFFICE OF THE US CHIEF OF COUNSEL

Documents of German Politics

volume VI part I

Greater Germany - Part I - 1939.

Published by Hochschule für Politik, Berlin pp.4 and 5.

1 a. Decree of the Fuehrer and Reich Chancellor concerning the formation of a secret Cabinet Council of 4 February 1938.

To advise me in conducting the foreign policy, I appoint a Secret Cabinet Council;

As president of the Secret Cabinet Council I appoint Reich Minister Freiherr von Neurath

As members of the Secret Cabinet Council I appoint:

The Reich Minister of Foreign Affairs Joachim von Ribbentrop,
Reich Minister for Air and Commander in Chief of the Air Force, General Field Marshal Hermann Goering,
The Deputy of the Fuehrer, Reich Minister Rudolf Hess,
The Reich Minister for Enlightment and Propaganda, Dr. Joseph Goebbels,
The Reich Minister and Chief of the Reich Chancery Dr. Hans Heinrich Lammers,
The Commander in Chief of the Army, General Walther von Brauchitsch,
The Commander in Chief of the Navy, General Admiral Dr.h.c. Erich Raeder,
The Chief of the High Command of the German Armed Forces, General of the Artillery, Wilhelm Keitel.

The current business of the Secret Cabinet Council will be conducted by the Reich Minister and Chief of the Reich Chancery.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3189-PS

11th December 1945.

CAITLIN ANNEMARIE, AGO X 046172 hereby certify that I am thoroughly conversant with the German and English languages and that I am above is a true and correct translation of Document No. 3189-PS.

CAITLIN ANNEMARIE
AGO X 046172.

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H1175-0120

PARTIAL TRANSLATION OF DOCUMENT NO. 3190-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Development of the Reich
("Das werden des Reiches")
1939
Part 1 and 2 Edited by Dr. Hans Volz
Published by Junker and Duennhaupt Verlag/Berlin 1940
Volume 7, part1 of Documents of German Politics(Dokumente der Deutschen Politik)
Edited by Prof. Dr. F. A. Six. Published by the German Institute of Knowledge of Foreign Countries(Auslandswissenschaftliches Institut)

page 246.

If anything should happen to me in this struggle, Party member Goering shall be my first successor. In case anything should happen to Party member Goering, Party member Hess shall succeed him. You would have to be devoted to them as your leaders with the same blind layalty and obedience as you were to me. For the case that anything should happen to Party member Hess, I shall now thru a law, call the Senate which shall then choose the most worthy that is, the one who is the most courageous, among them!

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 3190-PS

Nov. 28, 1945.

I,GOETZ MAYER,T/5, 33 81 21 69, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a true and correct translation of document no 3190-PS

GOETZ MAYER
T/5
33 81 21 69

H1175-0121

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TRANSLATION OF EXTRACTS OF DOCUMENT 3191-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Extracts from - The German Fuehrer Dictionary 1934 - 1935.

Page 25.

HESS, Rudolf Walther Richard Deputy Fuehrer, Reich Minister, Munich, Braunes Haus.

Joined the N.S.D.A.P., in June 1920 and was soon in close contact with Adolf Hitler;.....

soon among the first SA and sustained serious skull injury at a meeting in the Hofbräuhaus Hall when the Marxists attempted to blow it up; Leader of the Students Corps of the Police (Studenten-Hundertschaft), then the Students' Corps; took a leading part in the attempt to overthrow the Government on 8 and 9 November 1923; sentenced to 1½ year's imprisonment in a fortress in 1924 and served 7½ monthis of that with Adolf Hitler in Landsberg on the Lech; after being released in 1925 for a short time Assistant to Dr. Karl Haushofer, retired General and Professor of the "German Academy"; subsequently Private Secretary to Adolf Hitler; during the next few years accompanied the latter on most of his journeys through Germany at rallies etc. and soon became his closest confidant; produced most of the pamphlets and posters of the N.S.D.A.P; December 1932 nominated Chairman of the Political Central Commission of the N.S.D.A.P; April 1933 Fuehrer's Deputy; December 1933 named Reich Minister in this capacity; by order of the Reich Chancellor 27 July 1934, invested with the authority either to take part personally, or for Referats chosen by him to take part, in the drafting of the laws of all Reich Administrative Departments, for the purpose of further co-ordinating Party and State.

CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
No. 3191-PS

10 December 1945

I, CATHERINE BEDFORD, 110561, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extracts of Document No. 3191-PS.

CATHERINE BEDFORD
110561

H1175-0122

TRANSLATION OF DOCUMENT 3192-PS
OFFICE OF US CHIEF OF COUNSEL

HESS (Munich), Rudolf

The Fuehrer's Deputy, Reich Minister Berlin and Munich, nominated for the Reich election.

Born 26 April 1894 in Alexandria (Egypt); German citizenship; lutheran. Attends German School at Alexandria, Lutheran Seminary at Godesberg on the Rhine, commercial school in Neuchatel, commercial apprenticeship in Hamburg. Fighter at the front 1914 - 1918 (I. Bavarian Infantry Regiment, Bav.Res.Inf.Regt.18, Fighter Squadron 36). Studied economics and history after his return from the war. On account of his participation in the "Hitler Putch" 1923 sentenced to 1 1/2 years of confinement in a fortress where he was detained for 1 1/2 month's. Beginning 1925 to the end of 1932 private secretary and adjutant of the Fuehrer. Since December 1932 Chairman of the Political Central Commission of the NSDAP. Since 21 April 1933 the Fuehrer's Deputy. Since 1 December 1933 Reich Minister. - Member of the "Reichstag" since the 8th election term 1933.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3192-PS

10th December 1945

CATLIN ANNEMARIE, AGO No. X 046172 hereby certify that I am thoroughly conversant with the German and English languages and that I am above is a true an correct translation of Document No. 3192-PS.

CATLIN ANNEMARIE
AGO No. X 046172.

H1175-0123

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TRANSLATION OF DOCUMENT 3196-PS
OFFICE OF U S CHIEF OF COUNSEL

FROM "NATIONALSOZIALISTISCHE PARTEI KORRESPONDENZ" (Periodical, issue of 27 April 1933, Page 1)

Fuehrer Decrees

NSK The Fuehrer issues the following decrees:

Decree

I hereby appoint the chief of the political central commission, Party Member RUDOLF HESS, as my deputy and give him full power to make decisions in my name in all questions of partyleadership.

Munich, 21 April 1933

(signed) ADOLF HITLER

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3196-PS

I, WALTER R. SELIGSON, 1st Lt Ord, O-1558904, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3196-PS.

WALTER R. SELIGSON
1st Lt Ord
O-1558904

H1175-0124

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TRANSLATION OF DOCUMENT 3198-PS
OFFICE OF US CHIEF OF COUNSEL

NATIONAL SOCIALIST PARTY CORRESPONDANCE

(NSK)

26th September 1933

OFFICIAL PARTY NEWS

The Fuehrer:

NSK The Fuehrer gives the following order:

Partymember Rudolf Hess will renounce the titles of Reichsleiter and Lt. General in the SS (Obergruppenfuehrer), bearing henceforth only the title of "Deputy to the Fuehrer". He retains the right to wear the uniform of an SS Lt. General (Obergruppenfuehrer).

Muhich, September 22, 1933

signed: ADOLF HITLER

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3198-PS

November 28, 1945

WALTER R. SELIGSON, 1st Lt. 01558904 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3198-PS.

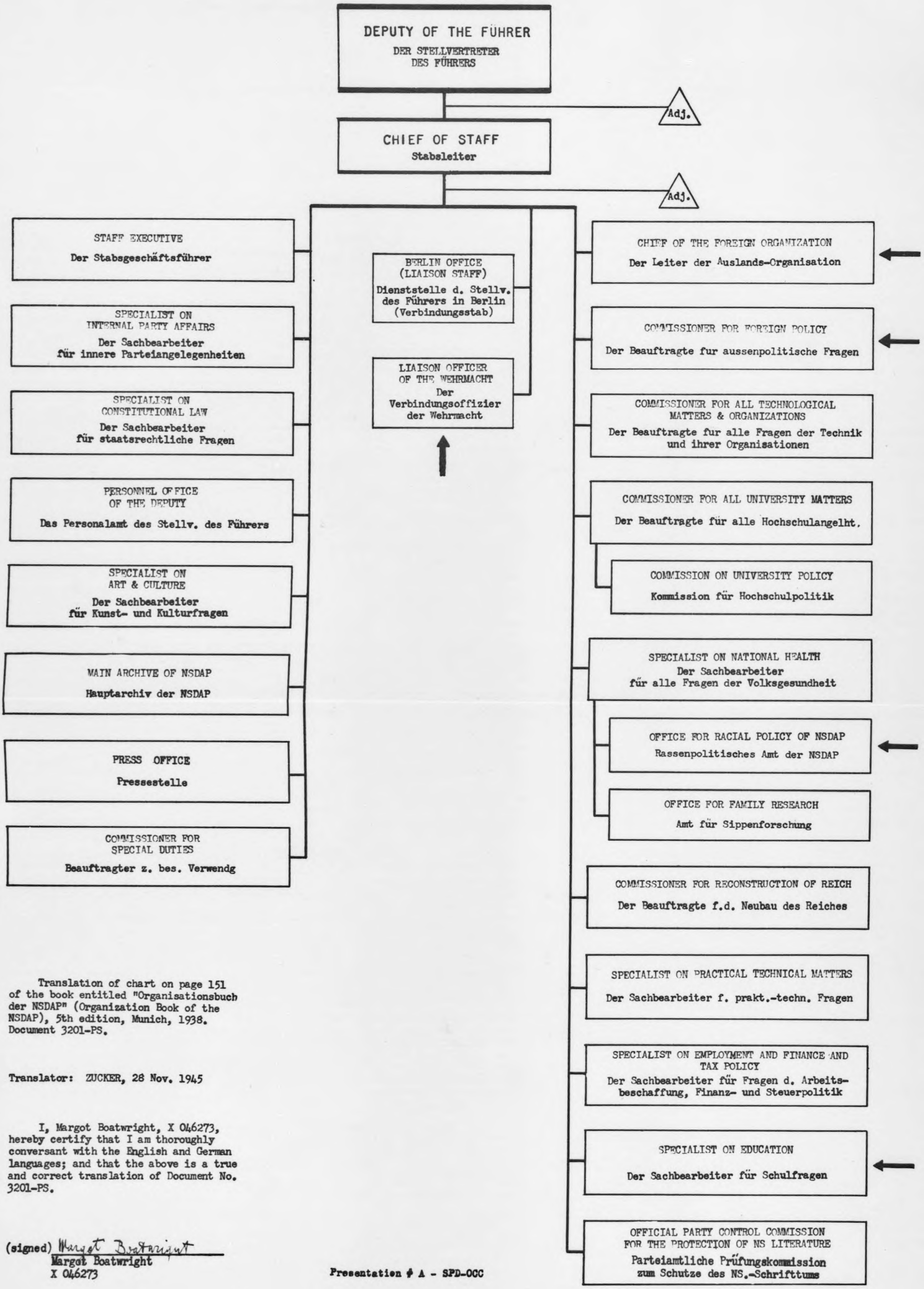
WALTER R. SELIGSON
1st Lt.
01558904

H1175-0125

H1175-0126

STAFF OF THE FÜHRER'S DEPUTY

Stab des Stellvertreters des Fuhrers



Translation of chart on page 151 of the book entitled "Organisationsbuch der NSDAP" (Organization Book of the NSDAP), 5th edition, Munich, 1938. Document 3201-PS.

Translator: ZUCKER, 28 Nov. 1945

I, Margot Boatwright, X 046273, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 3201-PS.

(signed) Margot Boatwright
Margot Boatwright
X 046273

Presentation # A - SPD-OCC

PS 3201 119

Referred to 7/2/46

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TRANSLATION OF EXTRACTS OF DOCUMENT 3204-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Extracts from "Völkischer Beobachter" Southern German Edition Munich Monday 7th November 1938, No. 311, 51st Year. Page 5.

Ceremonial Initiation of the Sudeten German Party (SdP) into the NSDAP by Rudolf Hess.

Rudolf Hess:

If we had had to defend our rights, then they would really have got to know us, we the National Socialist Germans, the Führer's fighting men.

"The Führer" Rudolf Hess declared amid the ringing cheers of the masses, "learnt his lesson. He armed at a speed that no one would have believed possible."

When the Führer has gained the power and more especially since the Führer has awakened the resolution of the German People to put their strength behind their rights - then Germany's rights will be conceded.

Rudolf Hess then spoke of the demands which National Socialism made on each individual to maintain this strength of the people's, of the demand that all National Socialists be ready if necessary to fight side by side for Germany and the Germans.

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CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
No. 3204-PS

8 December 1945

I, CATHERINE BEDFORD, 110561, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Extracts of Document No. 3204-PS.

CATHERINE BEDFORD
No. 110561

H1175-0127

H1175-0128

TR NSL.TIC N CF DCCUMENT 3245-PS
CFFICE CF U S CHIEF CF CCUNSEL

From "Verfuegungen, Anordnungen, Bekanntgaben," Vol 3, issued by the Party Chancellery

Excerpt from page 354 and 355

"Waffen SS"

Recruiting for "Waffen SS"

Induction of men fit for military service

Special objectives were given to the Elite Guard (Schutzstaffel) of the NSDAP by the Fuehrer within the frame work of the Reich defense. The Elite guard needs a very large number of men fit for military service for developing the Waffen SS in the future which will be employed in the execution of these tasks. Their induction is effected in accordance with an agreement between Reichsfuehrer SS and the Supreme Command of the Armed Forces.

The Fuehrer desires that the Party supports to the largest extent the efforts of the Elite guard to find recruits for the Waffen SS from the ranks of the movement. I hold all functionaries of the Party responsible in this respect.

The executory regulations will be issued by the organizational leader of the Reich (Reichsorganisationsleiter) with my consent.

Recruiting for "Waffen SS" - Order A 7/40

By order A7/40 to the Elite guard in recruiting for the Waffen SS from the ranks of the movement. It has been reported to the Party chancellery that in many cases information is lacking as to the reasons for strengthening the Waffen SS.

For the purpose of information, I therefore state that a part of the Waffen SS has to stay in the occupied Eastern territories or will be committed there as a new unit, respectively, in exchange with formations deployed in the West, of course. The units of Waffen SS, consisting of National Socialists, are more suitable than other armed units for the specific tasks to be solved in the occupied Eastern terrcteries due to their intensive national-socialist training in regard to questions of race and nationality. Moreover, the military assignments given to the Waffen SS in the West require continuous shipping of replacements to the existing SS units.

In that connection I call attention to the fact that fortunately party members, especially political leaders who have distinguished themselves as speakers or in the training program, quite frequently are called upon by the armed forces to act as speakers or as political instructors in their units. It should therefore be kept in mind that party members who are fitted for such assignments by reason of their political activity are to be placed at the disposal of the Army at first call. Furthermore, the continuance of complete freedom of party action and the existence of sufficient and suitable manpower for executing the objectives, which were assigned to the Party during the war, will be the prime consideration in the recruiting drive of party members for the Waffen SS.

The procedure of exchange arranged with the Armed Forces is herewith authorized also for party members of major offices serving with the Waffen SS.

Einlistment for Waffen SS -------- Rumors

Again I call attention to the fact that continuous and energetic assitance is to be given by the functionaries to the currently organized enlistment of volunteers for the units of the Waffen SS. According to reports which I have received the rumor circulates in some districts that the units

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PARTIAL TRANSLATION OF DOCUMENT 3245-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

of the Waffen SS have suffered particularly high losses. These rumors must be combated effectively, for they are unfounded. The units of the Waffen SS have not suffered higher losses than corresponding formations of the army.

Induction of nordic men of foreign nationality by the Waffen SS

The Waffen SS inducts by decree of the Fuehrer at present among others also such nordic men of foreign nationality who volunteer for duty with the Waffen SS. The selection of these men is effected according to special considerations. At the time of their induction they take the oath of allegiance to the Fuehrer just as all other SS men. The recruiting office (Ergaenzungsamt) of the Waffen SS is charged with the induction. It utilizes also partly in this connection branch offices, located in Germany, of related political groups of other countries.

I am informing you of these instructions "strictly confidentially".

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT 3245-PS

I, WALTER R. SELIGSON, 1st Lt O-558904, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document 3245-PS.

WALTER R. SELIGSON
1st Lt
O-558904

H1175-0129

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Seyss-Inquart.

The Austrian Question 1934-1938

In order to arrive at a better understanding of the contents of this writing, I am referring, amongst others particularly to one Memoranda "The Right of Self-Determination of Germans", to which I shall refer in the following as the "Memorandum"of short.

I have explained in this the historical foundations for the idea of the Union(Anschlussidee)(Nen.page 3-6), the psychological assumption and preparedness of the Germans in Austria for the Union (Mem.8-15), and the developments and tensions which resulted from the prevention of the will to the union(Mem 7-9). Furthermore, I have described the reasons and consequences which led to the clash between the authoritative regime of Dollfuss and the Social-Democratic parties (Mem. 17-18), as well in short the circumstances which pressed towards the "Putsch"of July 1934, (Mem.18-19). I could deduct from occasional subsequent inquiries- people did not like to talk about this failure- that the intentions behind this July-Putsch was to overpower the Austrian Government while their Ministers were in session, to force them to abdicate and to bring a Government Rintelen into power which had an overwhelming National Socialist influence. An intention of murder against Dollfuss could not have been planned. Eight days before this Putsch I had a discussion with Dollfuss. I have known him from the time immediately after the war, when both of us, who were officers returned from the field, supported endeavors to unify on one stage the Austrian Christain Socialist and Nationalists. Since then I did not trouble myself with politics; however, I was a leading member of an organization for the Union called "Austrian-German Volksbund" which was above party politics and whose chairman was Dr. Neubacher, a comrade in arms and friend of mine. I was inclined to sympathize with the National-Socialist party because of their fight for the idea of the Union(Anschuss) and because of the hostile "Kurs" (Attitude) of the Austrian Government, as it in any case was understood in National circles. I supported it by payments (20 s monthly and once 100 s), but I did not join the Party as a member because I did not wish to take such a binding allegiance upon myself. I was never a member of any party, when "Staatsrat" (counsilor of state) I belonged to the "Vathelandische Front" (Fatherland front) and on the 13th March 1938 I was enlisted in the NSDAP. I had no relations with the leading men of the National-Socialist political organization, In connection with my profession (lawyer) . I did know Dr. Wachter and Dr. Ettinghausen, etc. Dollfuss had asked me to come and see him to discuss the question of the "Aktivierung" (mobilization) of the middle class nationals, apparently to be a kind of counterbalance against the National Socialist. I had to tell Dollfuss that the old National Politicians completely clacked supporters and that, so to speak, all leaned toward the Nazis; it would be advisable to come to an understanding with Hitler. A useful understanding with the latter could alone guarantee to bring about order in the camps of the Nationals or National-Socialists. Dollfuss was reflecting, promised further discussions; however, it never came to this, I spent my summer holidays in my home country (Stannern near Iglau) and I received the news through the broadcast of the "Bundeskanzler Putsch." Two days later I left for Vienna.

H1175-0130

The effect of the Putsch was a complete catastrophy in the National-Socialist camp. Not merely the leaders, but the party members were arrested in so far as they did not escape, the confiscation of their fortunes was announced; the revolt which led to military activities in Steirermark, Karnten and Oberoesterreich did cost victims; the political mamagement was seriously compromised by the Nazis and above all, a most sinister looking situation was created in regard to outer (foreign) politics. In any case, the idea of the Union had suffered a serere setback. I was in agreement about the effect with Dr. Neubacher, and it was our desire to assist easying the tension. Following this situation, I felt urged to take up politics beyond the question of the "Anschluss". At that time, Ing Rheintaller peasant leader in Oberoesterreich, introduced an appeasement action. He is said to have received a direct consent from Hess in order to be covered against the Party in the Reich. As far as I know, Rheintaller was received by Dr. Schuschnigg, who meanwhile had become the "Bundes-Chancellor". The former National delegate to the "Landtag" (land parliament) Langoth in Linz, was working with Reintaler. Dr. Neubacher and myself contacted this circle and met there some other men whose names I have forgotten, but who later on did not play a particular role. After some time, the lawyer-applicant from Linz, Dr. Kaltenbrunner, joined this circle He was said to have been a SS man. The main cativities consisted in organizing an institution to succor the needy families of those arrested or condemned Nazis. The Government tolerated and finally sanctioned thos operation, though they knew that the means came chiefly frm the Reich, and because it was known where the monies went to, and that such activities of succor would considerably cntribute to ease the tension from a psychological and therefore also political point of view; this I was told by Zernatto who later on became the Chief Secretary of the Fatherland Front. Quite rightly, Langath, the mamager, was met with confidence.

Politically it was a question to procure possibilitiss and a stage for activities of the people of Austria who were oriented nationally and even at this time already National -Socialistically. Dr. Schuschnigg seened not unsympathetic because he apparently sensed the moments of hate and tension since July 1934 and the narrow basis of the Fatherland Front between the red (socialists) and the brown(Nazis) Also , the foreign political backings (Italy) started to grow weaker. At this time the director of military archives, Oberst von Gleise-Horstenau, appeared as a mediator. He prevanted the dissolution of a number of national associations and 3 German clubs an affair of rather a social nature which was under the Presidency of v. Lardolff, who was at the same time chairman of the German people's counsel, a top organization for those national associations whoch were outside parties, such as school associations song clubs, etc. The problem was to provide possibilities for political activities to those Nationalists, respectively National Socialist people in Austria, however, without their immediately falling into organizational dependence of the Reich Partei. It might be tolerated that ideological connections remained, because the same thing also happened within the Social-Democrats etc. Dr. Schuschnigg could not make up his mind even not later on. Perhaps he could also see more clearly the reasons of the Reich-Partei, being an outsider in regard to party and politics.

As matters calmed down, the Austrian National Socialists collected themselves again into an illegal party, the organization was built up for better or worse according to the

H1175-0131

Old schedule, those who returned from the Reich were considered to be more "in the know" and authoritative.

The institution of succor, Langoth, remained outside the Party organization. But there were also men in the Nazi circles who considered an absolute dependence on the Reich as politically wrong and endeavored for an independent Austrian-National-Socialist Party. In particular Dr. Ramer from Karnten belonged to those, and by his influence the future Gau-leader Klausner, who is now dead; also Globetschnich was in it, though I doubt that he was sincerely convinced, and also others. Dr. Neubacher tood a keener interest in political affairs and entered into relationship with the proper Party circles; here, meanwhile, the former Gau-leader of Niederosterreich Captain (Hauptmann) Leopold had succeeded in becoming the land leader of the illegal Austrian Party; he was killed in action in the East serving as Oberstleutenant (Lt. Colonel).

As time went on, the Austrian government had the leaders of the reformed National Socialist Party arrested, also Neubacher. I for myself did not join the Party because I considered this was to be futile and wrong. Thus the tension again increased, became similar to the situation as it was before July 1934; however, without the inner political dangers because the Austrian Nazis were not interested in terroristic actions any more , whoch may be due to the increasing influence of men such as Klausner, Ramer and others. Yet the outer political influence had altered. Schuschnigg felt the need to normalize the relationship towards the Reich. For this he had to compromise also innter politically. He certainly had to deal under the greatest difficulties with the radical leaders of the "Fatherland Front". In order to understand this, it becomes necessary to shortly explain the Austrian clericals ("Klerikalismus").

The Austrian people distinguished between the exercise of religious faith in the Catholic Church and the domination of public life by the Church. This distinction orginates from century old experiences. At the beginning of the 17th century Austria was 80% Protestant. It became re-catholicised under the rule of Ferdinand II with the assistance of the Jesuits by using extremely powerful means of the state. Thousands of families had to emigrate, to mention only some important episodes. Emperor Josef II 1780-1790 "declericalised" the country--as a parallel happening of the commencing French development--he closed down hundreds of cloisters. In the Year 1854 again a decidedly ecclesiastical regime was in control. The marriage laws and jurisdiction were left to the Church. In the years around 1870 the leberal era came with modern legislation about schooling etc. The Dolfuss regime and the Fatherland front, were regarded as an ecclesiastical reaction , which is also indicated by the Concordat in regard to marriage-law questions. Struggles between ecclesiastic dignitaries were involved, not considered as matters in regard to faith or religious belief, but merely as political disputes. Thus it happened that many believing Catholics belonged to the Nazis despite the fact that the higher " Klerus" (Clericals)undertook continuously stronger opposition against the National-Socialism. The ecclesiastical circles unquestioningly exercised great pressure upon the "Fatherland Front" and De. Schuschnigg as a statesman, in order to prevent any conciliatory attitude toward the Nazis.

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Meanwhole, Herr von Papen apppared on the scene; he is sure to have tried everything to "normalise" the relation between Germany and Austria. He did not have the confidence of the radical Nat. Soc. leaders in the Reich and was therefore and was non-aggressive in inner politics. I do not know if I have met him before 1936. Essentially I kept contact with Glaise-Horstenau. I was informed by him in July 1936 that an agreement was about to be concluded between Germany and Austria which would bring a release from the inner-political tension-amnesties- and the inclusion for collaboration by the National Socialists. Dr. Schuschnigg also expected by collaboration. I assume that the contents of this agreement of the 11th July 1936 is known.

Quite apart from interstate agreements, also consessions of amnesty, etc., this agreement contained the phrase (quoted from memory): "the Bund-Chancellor anticupates to include the national opposition for collaboration". This phrase was the main question regarding Austrian inner policies up th the agreement of the 12th February 1938. During this time, Chancellor Schuschnigg received different men from the National Opposition, radical representatives for instance Capt. Leopold they were called in Fatherland circles the "undaunted" and even "conscientious Nationals". I was classified as one of the latter. The interpretation of the above quoted phrase caused in the Nat. Soc. camp a fundamental difference of opinion. The radicals were of the opinion that the Austrian government was obliged to admit the old NSDAP, which meanwhile had started to reconstitute itself. The "conscientious"like myself, Dr. Rainer, Klausner, etc. with different points of view, were of the opinion that the organization and form (method of activities had to be discussed upon with Dr. Schuschnigg, respectively accepted by him; however, it has to be executed in a manner of an independent Reichs organization. Also, other Austrian official politicans occupied themselves with the question of the National opposition, and I have reason to assume that some, for example Neustadter, Sturmer, encouraged to a certain extent the redicals in order to secure some bac king with the population against the ecclesiastical block of the Fatherland Front. The Austrian "Heimatschutz" became in time insignificant. I was frequently together with the General Secretary of the Fatherland Front, Zeratto, whose lively, intellectual and at times easy manner of conversation overcame difficulties more easily in conversations with Schuschnigg. I then took the point of view which became increasingly more revealing to me myself, that the solution could only be found in so far as the Austrian Nat. Sol. activities in those legal forms and methods which corresponded to the Austrian conditions and that they should partake in the government, in return Hitler was to guarantee the independence of this political movement notwithstanding the ideological leadership by him, being the founder of the movement. Austria on her part, however, was to enter into the chosest relationship with the Reich in so far as it was compatible with international law. The "Union " was thus not an acute and perhaps postponed point in the program and my co-workers--and I also believe to Mr.von Papen thought it was neither necessary nor importantto make the question of the "Union" the object of an acute political controversy. We were firmly convinced--as soon as inner political difficulties were eliminated and the outer political tension was eased--that the "Union" would develop step by step automatically; and already existing atate of affairs would only have to be confirmed in as far as political and legal arrangements were concerned. Reports from foreign countries indicated that there would be not objection to this solution, on the contrary, one would be quite happy to have this some question done away with painlessly. Yet, retrospectively one can say today that all who shared this opinion did anticupate an evolutionary development of the National Socialism from its period of "Sturm and Drang" (youthful enfluence) and that with the satisfaction of its national claims--equality of status and union

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of Germans--the National Socialism would find all its scope in the building up of the inner Reich . Looking at it from today's point of view, this moment might have arrived at about 1939. Even Dr. Schuschnigg inclined toward this point of view. He believed in the idea of "Greater Germany" but had to decline a "Union" under this National-Socialist regime. When I replied thereupon that then he will renunciate the "Anschluss", he answered most decidely: "One may expect an evolutionary development of National - Socialism". I myself was so absolutely convinced of the urgent necessity of the union of all Germans, that I looked upon this question from an inner political point of view, but never could make it dependent upon the political system as it might be at a time in Germany or Austria. No German must remain an outsid observer if the system does not seem to be the right one, but he must take part in the controversy. The Austrian leader of the Social Democrat, Julius Deutch, expressed himself similarly in the Austrian labor paper under the title "And Yet" (Dennoch) at the time of the election of Hindenburg as Reich President. Herr von Papen whom I know met more frequently, perhaps every six to eight weeks, expressed himself cautiosly. I gained the impression that he did not wish to commit himself until he was fully acquainted with the opinion of Berlin. The radicals opposed vehemently my policy. Quite apart from the fact that they declared it as being against the Fuehrer, they tried defamation in their own way. For example, they spread a rumor that I was pupil of the Jesuit college "Stella Matutina" in the Vorarlberg, where Schuschnigg had studied, and that I intended to commit treason against the National affairs in collaboration with Schuschnigg. A clearing of the situation inside the Reich seemed to have taken place in so far as that State Secretary Keppler was put in charge of all the Austrian matters. Other Party offices, however, were not troubled much by this appointment. The "illegal Langesleitung" (county leadership) of Captain Leopold in Austria had rented two floors in the Tenifaltstrasse, Vienna I from where it officiated. Apparently the Austrian police activities. The "Simple citizen" would see in this a search which would still bring about a solution with the NSDAP, and he was less inclined to accept political cinsiderations. Fernatto urged me to become more active realizing that I would not with success with the Nazis in the frame of the Fatherland Front, the plan, as approved by Schuschnigg was agreed upon: "I shall be appointed Counsellor of State with the task to examine the conditions of the National opposition for their inclusion and submit such proposal while an Innsbruck acquaintance of Schuschnigg's,Dr. Pmbaur of the Fatherland Front, should form a Volk's political council for the preparation of the collaboration of the nationals with the Front."

I immediately expressed the desire to go to the Reich myself, in order to ascertain by contact with the responsible people how far my plans had expectation to find their consent. Keppler negotiated, with Schuschniggs consent, a visit to Hess and Goering. I explained by opinion to these two I made a special point of it that this must not be a question of party successes. With these put into the background the Austrian National Socialists could become active, and Austria could become an important supporting position for the Reich, at the same time this double partnership would offer many advantages as regards international affairs . Hess asked me to see him once more. I assume that meanwhile he had talked with the Fuehrer. Hess was most interested and cordial and said about as follows: "You certainly have good intentions and I shall follow up your wonk with interest, I regret you are not one of the old fighters." I was not quite clear about the meaning of ttis last sentence, forst I thought it meant an acknowledgement, but perhaps Hess intended to express that an old fighher would not have proposed "half mea-

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sures". My visit to Goering was superficially impressive, but as for its contents, there is nothing that stuck in my memory with the exception that Goering was more interested in political activities as a matter of principle, but that what I brought along was too lettle. Incidentally, as far as I know Goering then already had established a direct connection with the Austrian Secretary of State for External Affairs, Guido Schmid. Not too encouraged, yet without a refusal from the Reich, I started my activities, which immediately became the object of strong attacks by the radical section of the Fatherland Front and by the Radical Nazis, who after my visit to Hess and Goering were more opposed to my co-workers than to me personally. I particularly became the wall of wailing for all Nazis who had complaints. Here the "Volks political council"with their at times rather clever representatives from the "Bundeslaender" (Bund countries) was sucessfully interconnected. Despite all, I gained the impression that the administrative and executive authorities incited by the Fatherland Front, did away repeatedly with all that had been achieved on the one side by restrictions, arrests and sidmissing of people, by exploiting the still continued illegality, that is of the decidedly party political activities of the Austrian Nazis. Endeavors to ease the tensions by instituting the commissions as provided for in the agreement of the 11th July 1936, hardly met with success, although Schuschnigg was considerably accommodating in one of my last representations, after the previous negotiations were almost in vain. During this time, Dr. Jury also entered the circle of my assistants, who had taken a decisive distance from the illegal work of Leopold. In consequence of the above described circumstances, the situation grew rather worse than better. It became obvious to me that only a decisive refusal of Hitler to those "Illegals" could produce an improvement, where as activities of the National Socialists had to be permitted within those limits to be agreed upon together with Schuschnigg. I withdrew when towards the end of 1937 the really hopeless legitimate movement was also officially strongly supported, and I wrote a letter to Schuschnigg or Zernatto explaining my point of view. I did not participate in meetings of the State Counsel and I went to Garmisch(Germany) upon an invitation by the Reich Sport Leader Dr. Rammer. I informed Zernatto of this trip. Without being prearranged, I met von Papen in Garmisch. We lamented about our troubles whole the whather was muddy. Once again I explained my point of view and took the occasion to mention that a corresponding initiative had to be reached in the Ministry on order to meet the methods practiced by the Administration. The ministry of the interior may have been talked about, but certainly not about me. This time, von Papen was less closed. I believe that he said he would discuss these matters with Hitler. Eight days after this conference, meanwhile having returned to Vienna, I went to Zell an See. From there--I believe--I was called to Vienna by Zernatto. At the same time I was informed by National Socialist quarters--possibly by Keppler--that a meeting between Schuschnigg and Hitler in Berchtesgaden was in the making. In any case, I had this information from Reich German quarters before Zernatto or Schuschnigg told me about it. On the day of my departure I had a long discussion with Zernatto, which was later on joined by Schuschnigg, in regard to details of an inner political arrangement. About 2/3 of my propositions were accepted, the most important ones which were meant to impress Hitler, but not freedom of activities for the Nazis nor participation in the administration and in the conduct of the affairs of the State. I assumed that schuschnigg reserved those for his negotiations

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in Berchtesgaden. I informed Dr. Rainer and Dr. Jury in broad lines about the results of my discussion, it is feasable that thus it reached Berchtesgaden. I do not know if it excited interest. On the 12th of February Schuschnigg, together with Schmidt, was with Hitler. As for details I do not know anymore that what has meanwhile been spread at home and abroad. Any how, the possibilities for military actions were demonstrated to him, as I was told by Schuschnigg. Most certainly it was a hard day for him.

On the 13th of February I was informed by State Secretary Schmidt in the presence of Zernatto about the agreements of Berchtesgaden. I assume that the wording of same is known. I can not recollect its wordings. Apart from a general amnesty and reparations, the admittance of the National opposition was renewedly and more clearly confirmed and in a certain was as a guarantee was my appointment as Minister for the Interior and for Public Safty provided, it is true I havetalked with Schuschnigg, Zernatto and von Papen oft the necessity of such an adjustment, but never of my candidacy for this. However if it really should take place, it was reasonable that I might be entrusted, I was told that my name was not mentioned by Hitler, but by Schuschnigg on Hitler's questioning whom he recommended for the prospective post of Minister. Subsequently I made a particular point of this to retain in office the former Secretary of State for the Security Department, Strubl, although he was like a red clogh for the Nazis, because I wished to have an experienced expert management. I even included Strubl in my Cabinet of the 11th of March. The further decision that I was to be the liaison officer in charge between the Austrian Government, the National Opposition and the Government of the Reich was of an equal importance to me. The Minister for Foreign Affairs Schmid, designated for this duty, anyhow had declined to have anything to do with these questions, I myself, however, was most limited in my capacity for action by those offices. I was forced to inform first all the different groups and had to take care not to prejudice their attitude by my own stand. Thus on the 11th march, for a certain time, I really felt only as a kind of "girl telephone switchboard operator between Berlin and Vienna.

Making in advance a concluding remark; I want to state: the agreement of February 12th and my appointment as Minister for Interior Affairs could only be looked upon by the National Opposition--which were at that time exclusively only National Socialists which fact cannot be contested. To clear up the position of this opposition was the purpose of all those endeavors that have been made, one may say, for years. If one should say that I endeavored to revive the possibilitäss for activitäss by the National Socialists in a different form, then one is perfectly right. This I have always expressed openly and clearly and I have already called Dollfuss' attention to the necessity of coming to an agreement with the Nazis, because the National, in the old middle class conception, was no longer a political factor. If one wants to state that I wished to reinstate the Nazi party in their specific form, organization and dependance upon the Reich them one is wrong. That is just the thing I wished to prevent. To achieve this end it was necessary to find new men as leaders, who were politically intellegent and to finally see that Hitler that he, being the party leader, give a corresponding declaration. I believe to have found those men, and I am still to this day convinced, that a large portion ot them, had honest intentions kin this matter, for example Dr. Jury, Dr. Rainer, Dengineer Rheintaller, and of course also Dr. Neuvacher. But all of them were in agreement

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that without a direction by Hitler as the leader of the movement , the matter could not be cahieved. Partly the men had an inner feeling for and probalby bound to him by their oath, partly they realized that a success in any other direction would be futile in view of the Nazi followers of Hitler in Austrua. All that mattered in those discussions with Hitler, was to induce him, being the leader of the bovement by appropriate counter offers and to gain the necessary declaration concerning the independence of the Austrian National Socialist. Should this have happened, then I believe, almost even to this day, in a success, because the Austrian Nazis could have been won over to this political way. If they had had the possibilities to try to materianize by legal means the ideas fo "ational Socialism which did not only consist of their racial point of view, of the principle of dictatorship etc. in a form fitted for Austria, and to exercise real responsibilities, then most important of all, the continuous uncertaintly about arrests, dismissals, confiscations etc., would have subsided, which had made these people so susfeptable to radical slogans. These people would again returned, I might say, into an "ustrian middle class quietness, which they would not have relinquished so easily in view of the experiences of the past years in favor of political adventure, if the influence of the Reich party would have been excluded. It was my aim to achieve this. I believe that just this has not been discussed in Berchtesgaden. Hitler most probably will have avoided this or superimposed this by his talk, while Schuschnigg probably thought to belittle himself if he would discuss inner political questions with the Reich German namely a foreign head of a State.

But in such a situation it is of no avail to play ostrich polich (put the head in the sand). The situation happened to be thus in the camp of the National opposition. If one asked for satisfaction flong this line, it became necessary to walk along this way or it might have been better, not to commence anything at all , but to have tried to make a clear start with those social Democrats, who would re-admitted into activities. However, such an attempt would have been short liven according to the , at the time interior and foreign political situation. As it is , Schuschnigg only took half measures, he conceded to certain details such as amnesty, reparation, permission to wear the swastika etc, which in this situation only proved to be stumulants for the radical propaganda without any real political counter offers. He opened flood gates without having any provisions for the steering of the flooding waters. If within the terms of this agreement would have been fixed, respectively confirmed by Hitler, certain possibilities for activities, forms of organization, restrictions as regards realization of the party program, exclusion of the dictatorship principle and responsible independence of the Austrian Nazis, then it might have been possible to control these matters by avoiding political mistakes, If Hitler would have confirmed it. But such a decision was not put before Hitler by Schuschnigg. When I prepared for it later on, the Fatherland Front interfered with the polling plan, which gave Hitler the opportunity to renounce the conditions of the agreement of February 12th. It is only conditionally right if it would be said that my political line of action and its partial realization let to the final result of the 11th of March. My actions were certainly contrubuting causes, but it was not in execution of my idea what also actually had been done on the part of the Austruan State Leadership. Basically the reasons which led to the development of the 11th of March are much deeper. The latter was unavoidable unless my ideas could have been realized. In 1942 I received an expressive confirmation about this.

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An acquaintance showed me a report, which was made by the Chief of the Security Police and S. Towards the end of 1937 and which was presented to Hitler via Himmler. Heydrich describes the Austrian situation and arrives at the conclusion that invariably it must lead to the collapse of the "Austrian System". "The only circumstance which might become dangerous for the plans of the National Socialist Movement I do not remember the expression of Party or Reich leadership--could be the policy of the State Councilor Seyss-Inquart. This was tuned to suit the Austrian mentality and in time it might be suited to give its own character to the nazis movement in Austria different from the Reichspartei, which could take away the revolutionary impulse."

When I discussed with Schmid and subsequently with Schuschnigg the results of Berchtesgaden and their executions, I immediately declared, that before exercising my functions I had to ascertain by a personal conversation with Hitler, in how far he would be in accord with my plans and would be prepared to give basic declarations. Schuschnigg immediately gave his consent to my proposition for a trip to Berlin, which was arranged as far as I remember by State Secretary Keppler and the Austrian Foreign Office; in any case I traveled with diplomatic priveleges(posspôrt). During those and subsequent conferences with Schuschnigg, Zernatto, Schmid, Strubl and perhaps other Austrian politicians I believe also with the Austrian Land Captain Cleissner I developed my plans as follows according to the clarity as it grew increasingly self evident to me: The "volks political council" should be developed into a kind of head office department "National Community" under the leadership of Dr. Jury, who was to become a member of the State Council, thus enabling the Austrian Nazis to busy themselves within the Fatherland Front; at that time still thought that it could be managed from within the Front, which was of a special concern to Schuschnigg. As a parallel intention, Schuschnigg planed to establish a "Legitimate Work Community", to which I did not object. In this national community the Austrian Nazis were to be roped in. Dr.Fischbach was to be appointed a member of the "Economic council"; he was a personal acquaintance of mine, who was never a member of the Party and nat a proper "Nazi", in order to represent there the national-Socialist aims; and for the same purpose Engineer Rheintaller was to be appointed into the "agricultural economic council". Any political activities outside these organizations were forbidden and were to be prosecuted by the police. Klausner who was looked upon as a kind of Party Leader, by the Austrian Nazis, as far as they had left the redical standpoint, was earmarked to receive a leading position, as soon as the orgainzational preparations permitted. The political secretary of Klausner was Dr. Rainer. The political leadership of the Austrian Nazis was to be exclusively in the hands of those men who were responsible for their activities toward the Austrian government. The proportion of power of the individual now-legalized political groups was to be ascertained by suitable means, and accordingly the distribution of the indivudual functions of public affairs was to take place. In any case, the political leader and Bund Chancellor was to remain Schuschnigg. This system of collaboration had to be carried out for a certain period --I mentioned 3 to 5 years. After that, new arrangements might be entered into after ascertaining the proportion of power, but then also the principle of dictatorship was to be rejected, but each legal political group in Austria was to participate proportionately in their size in the executive power and in the public affairs. I state quite

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clearly that I presumed that the Nazis by their work would gain the confidence of the alrge majority of the people, that meantime the Reich had grown out of their period of youthful exuberance, and that foreign countries would liik upon the political development as an internal Austrian affair, without any critycal character. I was of the oponoin that after that time the moment had arrived, that international questions (for exemple the "Anschluss") would be solved according to the demonstrated will of the Austrian population. The aim of my propositions, however, was to do away with the dictatorship of the Fatherland Front, which was in reality the Austrian clericals. Because, as much the dictatorship of the Nazi regime in the Reich was opposed , the dictatorship of the clericals of Austria was much greater and more unjustifiable because the clericals who really had the conduct of the Fatherland Front, did certainly not control more than 20% of the vote of the Austrian population, but prescribed the remaining 80% their political activities. Obviously the redical "Front" leaders defended their position of power to their utmost against this "Re-democratising", and attempted to influence Schuschnigg with all sorts of political and world philosophical arguments.

In order to explain further developments, I must still mention an event from the time of the 12th of February, which might have facilitated the solution as I had planned. One night I was requested by schuschnigg to come to see him immediately. In his study Glaise, Horstenau, Zernatto, Strubl, and ,I believe, Schmid were assembled. Strubl reported that he got into his hands a plan for a "Putsch" of the illegal Landleadership of Captain Leopold and he had affected the arrest of all the "Landleadership " people. This plan in itself was not a very serious matter, apparently without an attempt of realization, for an organic develppment of Central Europe and for the fulfillment of the Rights of Self-Determination of the Nations as proclaimed by President Woodrow Wilson.

I arrived in Berlin in the morning of February 17. Keppler met me. He drove me first to Himmler; this was not forseen in the program shown me. The visit lasted about 15 menutes. Himmler attempted to bring up police matters which I could not discuss with him for I lacked information, having just been appointed a Minister the day before. I finally he advised me to take only very reliable personnell in my Telephone Central Office, which advice I did not follow, for I left everything as it orginally was. I never had any objections to having my phone convers tions overheard; they were overheard when I was a Minister, but it probably happened similarly to my other colleagues. I suppose primarily that just Himmler wanted to see me personally. Thereupon I rode to the Reich Chancellory, where I was received with the usual ceremony. During my conference with Hitler, which lasted 2 hours and 10 minutes, Foreign Minister von Ribbentrop and St. Sch. Keppler were waiting in the antechamber; Hitler did not have them called in. I greeted Hitler with the German salute and immediately offered the explanation that he should not be surprised that I , as Austrian Minister, greeted him with the Hitler salute for I considered him, despite the Treaties of Peace, as the Fuehrer of the German Poeples, who led us out of the discriminations of the peace treaties; besides I was also the Austrian Minister and as such, I was responsible for the leadership of the Austrian State. I wrote a record of the most important parts of our further conversation, a copy of which

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must have been found in the port-folio seized at the time I was apprehended. I related to Hitler the situation in Austria since June, 1934 and especially pointed out the ruinous effects of the illegal policy initiated by the Reich upon the Austrian Nazis, upon the foreign policy of the Reich and even upon the idea of Anschluss. Further, I begged Hitler to withdraw the policy of the party and to approve a solution in a common German interest. Then, I presented him with my own program, as I have developed it above, and I underlined a being the most important of all questions, the necessity of rendering the National-Socialist activity lawful in the frame of Austrian contingencies , and I insisted upon the need of an independent leadership, not bound to the party in Germany, and which would be responsible in Austria. That it was a gact that every National Socialist considered him (Hitler) as the promoter and the propagator of the political idea, but the

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developments ought to be carried out according to the possibilities of Austria herself. I gave him my opinion about the principle of totalitarism, the so-called Kulturkampf and told him that the 25 points' program could not be carried out schematically. Twice I pointed out to him that I should be obliged, in my capacity of Minister for Security, to imprison the National-Socialists who would show any illegal activity, and twice HITLER agreed with me. I explained to him the meaning of having a close collaboration between Austria and the Reich in economic, military and foreign political fields, and pointed out the advantages of carrying out the German idea from the two sides. I told him finally that I was not ready to accept being the Fuehrer of a "Trojan Horse." I begged HITLER to approve my suggestions and to issue a fitting approval as soon as the organizational preparations would be initiated. HITLER approved all my proposals, but he told me that he was not quite sure that I would be able to carry out all my plans in Austria. He mentioned SCHUSCHNIGG politely, but reservedly. If I remember well, he told me that he intended to invite Chancelor SCHUSCHNIGG and Reichs Administrator HORTHY to attend the launching of a Cruiser, which was to take place this Summer. He was still uncertain as for the name: Tegelhof would not be good because of Italy, it should rather be Prinz-Eugen. He said also, that there was no reason to worry about the 25 points of the program; one must simply go from the idea of Volksdeutsch (Volks-German) to the idea of Gesamtdeutsch (Whole German). Thereafter he spoke freely of his various plans, such as the Super-highways, the Elbe-Bridge in Hamburg, etc. I finally had the impression that, although HITLER was not rejecting my proposals, he preferred to wait and see if there would be possibilities to carry them out. I thought then that it would be important to settle up, as fast as possible, the preliminaries of the organization necessary for the establishment of the new statute. The realization of the Anschluss was not discussed further than I have reported above. In Berlin, I also paid a visit to Reich Minister FRICK (an exchange of words without importance) and Reich Minister RIBBENTROP, whom I begged to give the contemplated speeches in a friendly tone. On the following night I went back to Vienna.

In Vienna, I contacted ZERNATTO and then went to SCHUSCHNIGG. I gave him a detailed report and urged him to take a decision. During the following days, I was busy with the taking-over of my new departments. I left the charge of the police matters to STRUBL, who gave me his report every evening and I encharged my National-Socialistic collaborators with the task of calling together the National-Socialists in several towns, such as GRAZ, LINZ, etc, to inform them of my plans and of my visit to HITLER. These actions took place with the agreement of ZERNATTO, and the speech in LINZ was broadcasted. I had already spoken over the radio and declared that nobody, in Austria, ought to believe himself an outstanding Nationalist, and that I should decide in the future about the orientation of our national policy. The political life was marked, on one side, by the Nazis still lacking active leaders now showing their Swastikas openly still lacking effective leadership, except that the former illegal leaders came again on the open since they were no longer branded with illegality, and on the other side by the reaction prevailing against the Covenant of Berchtesgaden in the radical spheres of the Patriotic Front, of which I supposed SCHMITZ, Vienna's Burgomaster, to be the leader. Thereafter the speeches took place. HITLER spoke of the intolerable persecutions of the Germans in the surrounding countries on account of their German sentiment, but found the future more promising. SCHUSCHNIGG spoke of the "hard days" in Berchtesgaden and launched the motto: "Up to here, but not further!" I shall mention that SCHUSCHNIGG had previously shown me some parts of his projected speech, but the above-mentioned sentence had not been read to me. That sentence meant a public rejection of my program and that I should be considered by the national opinion as a tattler, whose words were no longer to be taken seriously. From that time on, the National-Socialists began anew to listen to the radical partisans of illegality, but they had the authorization now, thanks to the Covenant of Berchtesgaden, to act publicly for their ideas or at least to show publicly their adhesion to them. Their actions took more and more often the shape of demonstrations. I seriously called SCHUSCHNIGG's attention to these facts and I told him that I was, of course, ready to inter-

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fere, in my capacity of Minister of Security, against single individuals who were trespassing but that I could not take any measures, according to the role assigned to me by the Covenant of February 12, against National-Socialists manifesting their opinions in the above-mentioned way. I told him in one case that I was forced to resign. SCHUSCHNIGG was well aware of the seriousness of the situation, especially after my visit to GRAZ, or rather on account of the motives behind that visit. I told him that it could not go on like this. In consideration of HITLER's readiness, steps should now be taken especially in international questions, to settle the matter definitely. SCHUSCHNIGG mentioned the difficulties he was meeting in his own camp, and told me that my dismissal was not conceivable. He added that he understood my attitude quite well as the Minister of Interior; well, we should just have to see how we could get along with all this. At any rate, nothing positive was achieved in the sense of the execution of my plans, although I repeatedly called the attention of ZERNATTO and SCHMID to this. Of course, there were the nominations of JURY, Dr. Dietbock and Ingenieur RHEINTALLER, who began to build up their spheres of activity, but had to deal, of course, with the most serious opposition from the Patriotic Circles.

One evening, I was called to SCHUSCHNIGG at the Patriotic Front. I suppose this took place on March 8, at any rate on the same day he went to Innsbruck to issue there, on the following day, the plans for a poll to take place on March 13. SCHUSCHNIGG laid down his plan to me: to have a vote taken by the Patriotic Front, the theme of which approximately concerned the provisions of the First paragraph of the Bund Constitution. He begged me however to keep this secret until noon the next day. I promised him to do so, although this was contrary to the tasks of a liaison many, but I kept my promise. The plan was, in my eyes, far too surprising and altogether too important to take a stand immediately on it. I asked SCHUSCHNIGG whether his intention was irrevocable and, as I was told it was, I expressed the most serious objections, for a poll worked out in such a way should inevitably be considered as an insult by the National-Socialists. SCHUSCHNIGG then turned all his attention to conversations with several leaders of the Front, so that I could only converse with ZERNATTO, whom I told of my great preoccupations. ZERNATTO was not very well acquainted with the matter. Later on in the evening, I went to my office, or to my lawyer chancellery, where JURY came to me and explained me anew the plan of the poll with all the details he had learned in the "Front". I told him that I could not say anything about it and that he should come to see me the following day at noon time. One the day after, I presume before the visit of JURY, I wrote a letter to SCHUSCHNIGG and perhaps also to ZERNATTO, in which I explained my position in the matter of the poll plan. In doing so, I perhaps caused a certain prejudice against the Reich's Nazis and against those of Austria, but the matter was so important and urgent! I declared that such a poll was not deserving of this name, for it did not respect the provisions laid down by the Consitution and was neither based upon the system of a public list of voters nor run in the lawful ways, not even being put under the control of reliable public poll commissions. It was contemplated that all public officials (State or town officials and employees) the personnel of the Railways, of the Post-Office, Telegraph, tramways, etc. and also private institutions of a certain importance (I think those with more than 20 employees) were to participate in the voting, so that the elected people would just have to be brought to a table where they have to say only "Yes" or "No." Freedom, secrecy and not even the right to vote were safeguarded. Further, it was evident that no citizen of the Bund could vote "No", for he would have exposed himself to a violation of the fundamental laws and therefore to judiciary prosections. At last, there was then no possibility of expressing one's own political views, and the political purpose of the poll was therefore quite obvious. I asked for the postponement of the voting and for the execution of my own plan; in that way a later vote would be by no way equivocal and would meet general approval, the National-Socialists being given the possibility of defending their ideas by some addition or by any other means. I handed over a copy of that letter to JURY or to another Nazi Fuehrer, asking him to transmit it to KEPPLER or to HITLER. That letter was written in a obliging form, which is my usual way, and further I hoped that some means of escape could be found out of that situation.

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In case I did write to HITLER directly also, I certainly sent a copy to SCHUSCHNIGG or to ZERNATTO. I expressed my point of view verbally in person or by phone to ZERNATTO and to SCHMID. Both of them gave me hope and told me to wait for SCHUSCHNIGG's return. Even the Nazi Fuehrers seemed to be rather embarrassed, but they approved of my device; at any rate I did not have the impression of a "radicalisation" (Radikalisierung) but rather of an "embittering", (Verbitternug). And I was embittered myself too. I,who always had availed myself of any opportunity to speak frankly, resented a delusion from all these doings. They had no influence upon my personal appreciation of SCHUSCHNIGG but I turned from a devoted collaborator to a reserved politician. SCHUSCHNIGG came back but I hardly succeeded in seeing him. He and the Patriotic Front were exceedingly busy

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with the preparation of the poll. In the evening of March 10, SCHMID called me up, after I had a conversation with STRUBL concerning the situation. The former informed me that the political tension was increasing even in the workers' quarters a certain agitation was spreading out, although it could not be ascertained that it was due to a communistic action. He pointed out that the National-Socialists were showing discipline and obeyed the police orders. Collisions had taken place nowhere; he assured me that the Austrian Police had enough experience and ability to prevent the conflicts. I approved his measures and gave him my agreement to his plans, but I told him that I would be obliged to resign at the first collision occurring between the Executive power and the National-Socialists. He understood this in the sense that I intended to do my utmost to avoid such collisions, but that I would resign my functions in the Security Department and leave him a free-hand in the other case. SCHMID declared to me that he considered the situation to be serious, not from the Police point of view, but politically. I agreed. He asked me, whether I did not desire to have a conversation with the Chancelor; I told him that I was awaiting this for several days. SCHMID then arranged a conference for me with SCHUSCHNIGG, which he attended. I do not remember it ZERNATTO attended to it too. I explained all my thoughts and proposals to SCHUSCHNIGG; I told him everything I had learned in the Reich (which meant nearly nothing) and with the Austrian National-Socialists (which meant very little). SCHUSCHNIGG seemed obviously preoccupied too, but rather confident in the foreign political situation. Later on, I happene to hear incidentally (not from official sources), that the Burgomeister of ROME, Prince COLONNA, had been in Vienna and had encouraged SCHUSCHNIGG in his attitude. I suggested to SCHUSCHNIGG to publish my proposals and to arrange the immediate appointment of some National-Socialists into the Ministry; (I was thinking of DICKFOECK, although he was only a technician, JURY, RHEINTHALLERO some others into the provincial Governments (Landesregierungen) etc. In that way I felt I was able to summon the National-Socialists, with the support of thei leaders, to vote "Yes" at the coming poll. SCHUSCHNIGG would have had to postpone the votes for the determination of the intended poll, according to my proposals. SCHUSCHNIGG demonstrated a certain willingness for my proposals concerning the admittance of Nazis; he showed more reserve about the international questions. There he wanted to content himself with a general declaration; he was still more reserved with the question of authorizing a National-Socialistic action within the Front. Thereupon, I proposed to him a black-brown coalition; SCHUSCHNIGG left the question unanswered, although we all were "on edge" about it. It had become late when I left the Offices of the Bund House and received the invitation to come to the Hotel Regina, where KLAUSNER was with several Nazis. I arrived at the Regina about 12 o'Clock; a dozen men were gathered in a room, among them several from the Bund's counties. Those who I knew were partisans of KLAUSNER's tendency. The spirits were higaly tensed with expectation. Present were KLAUSNER, RAINER and GLOBOTSCHNIGG; I told KLAUSNER of my interview with SCHUSCHNIGG. He declared to me and the others that, according to a communication from Berlin, the Reich Government had taken a position, and that a messenger was on his way to bring me a letter from HITLER. He was expected the next morning. He gave me no further details and I had the impression that he personally did not know exactly what position had been taken, but that he only know that BERLIN was not in agreement with the project of the vote. He summoned the attending Nazis to remain accessible to him during the next day. We decided thereupon to wait for the news from Berlin, for their provisons would be authoritative. I went home. In the early hours of the morning I was called on the phone by STRUBL. An important article had just been published by Dr. JURY in the WIENER NEUESTEN NACHRICHTEN (the National paper) which was a sharp criticism by JURY against the vote and which passed along the motto: Do not participate! I had the text read to me; I did not know about its planning and contents. I agreed with STRUBL that the articl was not an act of hostility against the Government, but of a sharp polemic character. It constituted no reason for the taking of security measures; STRUBL should SCHUSCHNIGG in form; if the latter was to find the article politically intolerable, he could then have the newspapers confiscated.

It was on March 11th. I dressed with the intention of taking a little walk in the streets of Dornbach and of thinking quietly about the question. About 8 a.m. I was at the Western Railroad Station; I had heard that GLAISE (Translator) had been in Berlin and was expected to arrive with the early train, and I hoped to hear some more news from him. As he was not on that train, I went

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to the air-field. GLAISE had arrived by plane and I was told that a messenger, carrier of a letter of HITLER to me, had driven to the German Embassy. I was informed that von PAPEN had been called to Berlin and I did not wish in this situation to get in touch with a German office before I had received the letter. I asked Dr. HUEBER, GOERING's brother-in-law, who had come with the same plans, to fetch the letter for me; he did so and brought it to me. GLAISE and I read the letter in the car. GLAISE told me that the public opinion was highly excited in Berlin, and that military events seemed to be brewing there. In its general contents, the letter reproduced the position I had adopted with SCHUSCHNIGG and contained the demand to postpone the vote by four weeks, and to have one in the form pointed out in my proposals: i.e. with a possibility of a decision to have a National-Socialistic vote. The letter contained some erroneous things, which I explained with lack of orientation, but which I corrected in the discussion with SCHUSCHNIGG. The Reich Government demanded that a decision should be arrived till noon. I went with GLAISE to SCHUSCHNIGG and informed him of the letter I had received, and of its contents. The letter gave to understand that, in the case of its rejection, the Reich Government would abandon the position he had adopted on the basis of the agreement of February 12, and would consequently recover a free-hand for any eventuality. A Military action was to be understood without any possible confussion. This was expressedly ascertained in our conference with SCHUSCHNIGG. As meantime had now come, I begged SCHUSCHNIGG to make a decision before 2 o'clock. Thereupon I went with GLAISE into Dr. FISCHBECK's (Transl.)office, where I had been told that KLAUSNER was waiting for me. I also found there, I think RAINER, GLOBCTSCHNIG and JURY. I informed them of the contents of Hitler's message, of my conversation with SCHUSCHNIGG and of the terms fixed at 2 o'clock for the decision. Then I sent to SCHUSCHNIGG a written confirmation of our interview in the morning. At that time, I went with GLAISE to SCHUSCHNIGG in the Bund Chancellory. As I was in the ante-chamber I was called to the phone: Goering wanted to speak to me. He asked me for information about the situation; I answered him that I was just on my way to see SCHUSCHNIGG. He asked for a telephone answer but SCHUSCHNIGG refused; I transmitted it to Berlin. (I often used to phone to Berlin, especially to GOERING) GOERING told me on the phone that the answer of the Reich Government w was that SCHUSCHNIGG's resignation was requested. I transmitted this to SCHUSCHNIGG with the above described impression of being a switchb ard-girl. Thereupon, SCHUSCHNIGG was ready to accept the first request; I spoke about this with SCHMIDT and ZERNATTO; I thought that this step was coming too late; the tone of GOERING's voice in the phone had been too significative. in fact the news arrived from BERLIN of their refusal, and they requested my nomination to Bund Chancellor. I had a new conference with SCHUSCHNIGG in the presence of GLAISE. We were all very excited. Although our ways of politics had parted for some days, the method used here did not please us. I declared that I had reasons to believe the Berlin people would not give up their resignation request, and this opened the way to forebodings of a possible military conflict. SCHUSCHNIGG did not desire to be the pretext to this and he declared that he offered his resignation to the Bund President. The situation was such, that I did not feel very pleased with the idea of becoming his successor, and I told it to him. We parted with a had-shake. For my own part, I declared that I did not wish to partic participate in any discussions the object of which would concern my own person. I did not do it, despite the frequent requests from BERLIN or from the Austrian Nazis, but I left the Bund Chancellory. I was sharply reproached for this later on. BUERCKEL, especially, used this argument to prove the necessity of his functions of Reich Commissary for Reannexation. But I believe that I was right in doing so. I strolled along the streets of Vienna. The agitation was in full swing, on account of the soon occuring vote. Many Nazis wearing swastikas were strolling on the sidewalks. The police was in full controll public order in their hads. I drank a cup of coffee in a cafe and went to my Solicitor's offices. When there, I received news from Berlin, informing me that I had to go to the Bund Chancellory to manage the things there. I refused. Some time after, there was a call from the Bund Chancellory: KEPPLER had arrived in al plane and I was asked to go there right away. I followed this suggestion, in order to help KEPPLER with my advice. He suggested I go with him to NIKLAS, which I refused. I stayed in the Pillars Room (Saeulensaal) near SCHUSCHNIGG's study. NIKLAS

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hesitated to accept SCHUSCHNIGG's offer of resignation but it had already been announced on the radio. There after, SCHMID and ZERNATTO came to me and we had a rather long conversation together upon the situation. Both declared that it was quite clear to them, that BERLIN wanted to bring the matter to an end and would do so. The Austrian System was to be liquidated, everybody saw this clearly, even SCHUSCHNIGG. The best course would be that I take over the function of Bund Chancellor; this solution would be a guarantee for a lawful development of the situation; this was important in the viewpoint of international policy and would give the hope for a "half tolerable" progressing of the matter. I was rather well-prepared for the first eventuality (I still remembered the Putsch of July 1934) but as for the second one, my experiences of the last days had made me skeptical. I declared that I preferred to "let the things come to me" (e.g. not to take steps myself, but to wait and see, (Transl.) After repeated interventions of SCHMID and ZERNATTO, the question was posed who could be taken into such a Ministry? I suggested STRUBL, to retain his functions of St. Sch. of the Security. KEPPLER had shown me the rough-copy of a telegram (a hint of which had stood in HITLER's letter, but I had considered it of no interest to me in which I was supposed to act as "Provisional Government" and to request the invasion of Austria by the German Forces on account of outbroken or impending inner disorders. I told KEPPLER that this would be contrary to my opinion and to my duty: I primarily wanted to deal with this matter to support politically, and in lawful ways, the Anschluss questions, which was here incidentally posed. A provisonal Government never was a lawful Government, and speaking of disorders, which did not exist at all, would only pretend that there was such an opposition against the Anschluss, that it would not help; the Patriotic Front was anyhow unable to hold its position. At about 6 p.m., as I was standing in the ante-chamber, KEPPLER came to me again and told me that BERLIN was insisting. I was ushered into a room apparently to have a converation with SCHMID. KEPPLER told me then: "What shall I do? What shall I say to the Berlin people?" I answered him: "Well, you know my position, do what you want." In the further course of the evening, I no longer

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heard of that telegram and nobody ever mentioned it to me. The matters were apparently decided already. Furthermore, SCHUSCHNIGG's resignation was considered as a matter of fact, and so was the fact that ENDER should not be called into office. ENDER was a "christlich-sozial" Fuehrer of Vorarlberg into whose Ministry I should have entered as Vice-Chancelor, according to an idea of MIKLAS; this idea would not have been so bad, for I appreciated ENDER very much. Later on he was arrested, and I took energetic steps for his being liberated. The overwhelming argument then was a declaration of STRUBL, who declared that he could no longer guarantee the intervention of the Police forces against the National-Socialists; in Vienna, many Police officers had already adopted the wearing of brassards with the Swastika. Even General Schilhasski is said to have declared that a successful use of the Bund Army could not be relied upon. I learned later on, - and this confirmed my opinion about the non-necessity of an invasion of Austria by German forces-, that the Police of the other Länder of the Bund and their various administrations had declared themselves for the National-Socialists, and Nazi Fuehrer, had appeared everywhere among the provincial Governments where they really took over functions. About 8 p.m. I spoke of one of these cases with STRUBL; he said that there had been no collisions anywhere in the country; there remains little to be done, only that orders should be given for the maintainence of order. Later in the evening, the impression was that MIKLAS and SCHUSCHNIGG were awaiting some event to be a motive for the resignation of the government and to start it. Apparently they were awaiting the German invasion. About 7:30 p.m. STRUBL came and told that he had just been informed by a frontier-post, that German troops had crossed the frontier. (In fact the crossing took place only half an hour before midnight--I expected everyone to say Well, good "(Na, also)! and the prepared gesture of departure happened: Schuschnigg made his famous speech. He had hardly finished when several gentlemen came to me, (among them SCHUSCHNIGG's political secretary) and SCHMIDT I believe and they insisted upon my going to the microphone and announce that I was taking over the Ministry of Interior and Security and shall provide for peace and order, or else there was the danger of confusion. I thought that the rule was, a resigning Minister was still responsible for the running of the affairs of his province until his successor is appointed, if no other stipulation was decided by the Chief of the State. But the general resignation of the Government was not clearly expressed, so that I urged, in my well known radio-speech, the maintenance of good order. Thereafter MIKLAS promoted me to Bund Chancellor; until then, I had not moved a finger to attain that. Who else could have been chosen? I remembered my talk with SCHMID and ZERNATTO. It was now necessary to build up the cabinet. I contacted my collaborators. MIKLAS, SCHUSNIGG and other present former Ministers present had retired into the small Council room. As I heard that some Nationalists with Swastikas were also going there, I ordered the evacuation of the room and placed sentries of the Bund Army around the room. I went into the room myself. SCHUSCHNIGG gave me his support for my building up the new Ministry: he saw the list I had made, found it useful and advised MIKLAS to accept it. He did so, and the taking of the oath was set for the next day. I invited SCHUSCHNIGG to take him home in my car. The streets were congested with people; emotional explosion of the outsiders was to be reckoned with; SCHUSCHNIGG and the directress of the Ladies Section of the Patriotic Front took a seat in the back of the car. I took a seat in front of them in the additional seat of the close coupe and saw them safely to their home. I still took care of SCHUSCHNIGG later on, although I paid him no visits, for I had soon noticed that my interventions would have been observed distrustfully by someone (HEIDRICH) of the Security Police. My collaborator, Dr. WIMMER, visited SCHUSCHNIGG in my place. Besides GOERING also concerned himself with the realization of his wedding intentions. On two occasions, I could also interfere: after the affair of the "Protectorate," HITLER came to Vienna. He asked me about SCHUSCHNIGG; I told him that I saw no reasons for the intended prosecution of SCHUSCHNIGG to take place, for he had only acted in conformity with the duties of his functions, though he always was awkward in his policy, his political attitude could not be a motive for a prosecution. HITLER then said nothing. Shortly after BURCKEL made an unfriendly remark, that the prosecution against "my friend" SCHUSCHNIGG should not take place. On February 1st, 1945, I was in Berlin for a report. I was waiting in an ante-room of the Fuehrer's bunker. Then the Chief

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of Security, DR KALTENBRUNNER, came to me and told me that he had a proposal to make to the Fuehrer about SCHUSCHNIGG. The latter was in Sachsenhausen, and the camp was to be evacuated. I told KALTENBRUNNER that they ought to take SCHUSCHNIGG to Southern Germany and to let him in the camp, whenever the Americans roll over it, for SCHUSCHNIGG would never do something against Germany. KALTENBRUNNER answered that he would propose this project to the Fuehrer, and tell him that it was mine. As far as I have learned, that is the way it happened. On that night, HIMMLER came by plane to Vienna; he was received by KALTENBRUNNER, whom I intended to assign to a post in the Police, for he had shown himself always very loyal to me.

On March 12, early in the morning, I called HITLER over the phone. I told him about the invasion by German troops and expressed the opinion that it would be better to make a kind of mutual and common action out of this, even if this had but the character of a mere gesture from the part of Austria, to demonstrate that, from now on, the Germans of both States would be going together. HITLER approved. Thereupon, some Austrian troops marched into several German towns. Then I had a conversation with MIKLAS. I informed him of my talk with HITLER and told him that the latter had begged me to come to LINZ; he wanted to drive there this very day. In that conversation, we both were agreed that the present situation was a transitional one, the definite composition would, of course, depend on HITLER's decision. We talked about the possibility of the approaching consequences for the State, and we recommended the avoidance of taking non-official (illegal) measures in fear of international difficulties. In the afternoon, I flew with HIMMLER to LINZ and drove then to meet HITLER. HITLER entered LINZ in the evening. I never saw such an enthusiasm. The welcome was spontaneous and of no precedence. In my (welcome) speech (Begruessung), I declared that the article 88 of the St-Germain Treaty was no longer binding. (It prohibited the Anschluss, and was a public contradiction of the Right of self-determination proclaimed by President W. Wilson as the basis of future Peace. It was an injustice especially for Austria). The prohibition of the Anschluss was for a great part responsible for the events in Central Europe since 1918. I always insisted openly that this was an injustice, as well when I was Councillor of State and later as Minister in my speech broadcast in LINZ. My position was: I saw in Austria's independence and autonomy the right for the Germans to decide whether they desired to be incorporated into the Reich. After the manifestation, Hitler retired. He told me he would go immediately to Vienna, to discuss the further developments; but he made no allusions. The unanimous, really overpowering demonstrations in all parts of Austria and in all classes of the population were made with the motto: One people, One Reich, One Fuehrer. I believe that HITLER under that influence decided what should be done the next day. I drove back in the night from LINZ to VIENNA with the car.

On March 13, early in the morning STRUBL came to me and begged me to accept his resignation and his quitting of active Police services. I let him know that he had been called into my Ministry by myself, with the approbation of the Bund President, and that he enjoyed my confidence. Besides, I was considering STRUBL as a quite loyal and also well experienced man. I told him that I was not fond of losing my people, but STRUBL begged insistently that his wish be satisfied; he pointed out his resolution was the result of a conversation he had had with HIMMLER. I suppose that HIMMLER would have made a reference to the probable developments of the events, (but STRUBL did not say a word of this), and the consequences he could expect for himself, for he was the man the Nazis hated most. I gained the impression that his own personal welfare was at stake, and that he had no longer the energy to retain his functions. I granted him his wishes. I was, later on, often urged to start in prosecutions against STRUBL or, at least, to suppress his pension, which I refused. Thanks to my intervention with HIMMLER, the only measure which was taken was abatement of 25 per cent, which was the mildest measure against outspoken political opponents. Later on, I once met STRUBL in Kassel, he told me that he was getting along well and was contented. Under the circumstances, the successor of STRUBL could be no other than KALTENBRUNNER. My proposal for his nomination was accepted by the Bund president and KALTENBRUNNER was sworn

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in as St. Sch. for Security. On that occasion, I had a conversation with MIKLAS. The picture was still getting clearer to our eyes, and there would also be state-political consequences. I think that it was then that MIKLAS declared that according to the Constitution legal procedures could be followed to attain the goal and that he would not be an obstacle to them. About noon St. Sch. STUCKART came from LINZ by plane. He was bringing a proposal for a reannexation Act of Austria to Germany and the Fuehrer's wish for a prompt execution of it. This was the adequate clarification of the situation and would have a favorable effect in the international point of view. RIBBENTROP, who was in London, had reported that the situation was looked at calmly there and that any lawful decision would be appreciated. I think that my Foreign Minister, Dr. WOLFF, brought me similar information. I gathered my available friends and collaborators and dispatched WOLFF to inform the Bund President that I would come and report to him as soon as possible. I must say that we all had gained the conviction that the high time for the Anschluss, our goal of long times, had now come. The undeniable enthusiasm among the Austrian population at the arrival of HITLER and of the German troops was a proof that the population had the same thoughts. There only remained to ascertain whether the present situation would cause objections to arise against the realisation. We saw the matter in this light: It was evident that the situation would bring a close relationship and a deep exchange of influence between Germany and Austria. Now already liaison men were coming steadily from the Central Departments of Berlin who contacted the Austrian Ministries and Offices. It certainly seemed better so, that the Reich take formally the full responsibility, as they were at any rate expected to exert their full influence. Very likely this would bring the best results for Austria. In fact, our 600,000 unemployed workers found employment in the shortest time. A rejection would have resulted in a critical situation, and I could not bring myself to it unless I would have been personally convinced that there would have been extraordinary reasons e.g. a danger to the Reich and the denial of the "accomplished facts" would only have brought about greater difficulties instead of preventing them. The allusion of previous Foreign Minister SCHMID on the 11th, that we should keep matters in our hands in the interest of a more favorable development, was also not to be disregarded. The international situation was good, there were no threats of complications and the conditions for a development in lawful ways existed. Anyhow things had not developed as I had expected them to do; they could have worked in an easier and more natural way, I daresay by an automatic development, but there was no reason which could have given us the right, the possibility or the will to deviate from the realization of the deepest national desire of every German in Austria. I called up a Council of Ministers, after having been told by WOLFF that the Bund President would make no difficulties against that realization; he was to return to his home in the meantime and should await me there. On my proposal, the assembled Council of Ministers assembled in the meantime adopted the proposal of the bill to which my law section had made some formal modifications. The votes on the 26th of April had been planned already in the first draft. According to the provisions of the Constitution of May 1st, 1934, any fundamental modification to the Constitution could be decided by the Council of Ministers with the approbation of the Bund President. A vote or a confirmation by the nation was in no ways provided for. In the case where the Bund President would, for any reason, either have resigned his functions or be for some time impeded in fulfilling them, his prerogatives were to go over to the Bund Chancellor. I went to the Bund President with Dr. WOLFF. The President told me that he did not know whether this development would be of welfare to the Austrian Nation, but that he did not wish to interfere and preferred to resign his functions, so that all rights would come into my hands, according to the Constitution. The possibility of my dismissal or resignation were only slightly mentioned and recognized as quite inopportune in the prevailing situation. I shall mention here that I happened to hear, later on, that it had also been thought, at that time, of a Military Government and that a Reichs German was even considered being appointed chief of the Civil Administration. This man, in fact, presented himself to me a few days later, to tell me that he did not see now the necessity of his taking over such functions, with which I agreed. He did not carry out any functions and hardly

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made an appearance. Then there were some letters exchanged between the Bund President and myself, confirming our conversation and his retirement. Thereafter I drove to LINZ, where I arrived around midnight and reported to the Fuehrer the accomplishment of the Anschluss Law. HITLER was very much impressed by it; for a while he remained quiet, then tears dropped from his eyes down his cheeks. He said then that he was especially happy because his motherland had achieved her annexation to the Reich without any shedding of blood. St. Sch. STUCKART (?) and my Sch (?) of State Dr. WIMMER, were present. HITLER added: "Yes, a good political action saves blood." I had the confiction that this idea has been the very basis of his actions and of his policy in the direction of the State. I begged him then to accept my retiring from my functions, and my returning to my sollictor's duties, as the very tasks of my political wishes were now achieved. HITLER reserved his decision on this. The following morning was occupied with the reception of visitors from the Reich. The Fuehrer came to Vienna in the afternoon. Like in all villages and towns, there were huge crowds of people massed to cheer HITLER wildly. For several hours they filed by in front of the Hotel Imperial. No official, technical discussions took place. On the 15th there was a great manifestation on the Helden-platz: there and in the Ringstrasse, over 500,000 or 600,000 people were massed. The enthusiasm was undescribable. I encountered the Fuehrer at the Hotel; he asked me who was considered to make the speeches? As I told him that I intended to make a welcome speech to him, he asked me to show him the drafts of this speech. I showed it to him; its contents are well-known, they were the true expression of my personal feelings. HITLER declared himself satisfied, gave it back to me and spoke for some time with the persons around him; I think that they were HIMMLER, FRICK, perhaps also LAMMERS and some others. Later on, I was told that he had decided to see me appointed to the post of Reich - Statthalter (Governor). As we were standing on the speaker's platform, he let somebody announce: "Now the Reich Statthalter for Austria will speak Mr. Seyss-Inquart." In the afternoon, after a parade of troops in Austrian and German uniforms, the Fuhrer left Vienna by plane. I was the Chief of the Civil Administration.

Then there were more and more influences exerted from the Reich, and BURCKEL steadily gained more power. He gained hold of the Party and with it the whole politics, together with press, propaganda, church and Youth matters, etc. Later on he was appointed Reich Commissioner for the Re-annexation. I was not personally placed under his command, but I was bound to his decisions in matters of re-annexation; things then went in the following way: the Central Departments of the Reich addressed themselves to BURCKEL's Staff, who in their turn, called the Austrian charge d'affaires (Referent) to them. I had to lead the current Civil Administration as a secondary Department, and to adapt in order to yield more influence my methods after BURCKEL's. His decisions did not reflect technical ideas, but they based on political viewpoints as he understood them, all according to the impression he wanted to make upon Berlin or Vienna. On April 18, I explained my viewpoint about that situation to the Fuhrer, in the presence of BURCKEL, and laid down the unfavorable results of these methods; after a long discussion, HITLER agreed with me and said to BURCKEL: "If things go on so, the joy of the Austrian people for the Anschluss will sonn turn into weariness of the Reich." But there was little change later on, however, it became more and more difficult for me to approach the Fuhrer. Evidently this was due to BURCKEL and to HEIDRICH; notwithstanding, the fact that they were not good friends to one another.

This "Gleichschaltung" (litt: assimilation) did not worry me in the long view; I was sure that the genuine Austrian particularities and qualities would find their place after some time infact, although wartime was no propitious time for administrative innovations many institutions were built-up in the whole German Reich based on Austria's example during the war; previously, the very same Austrian institutions had been abrogated in Austria etc, and replaced by Reich's methods! Examples: Social-insurance and educational matters. Of course, such transformations would have been more easily carried out in peace-time. I believe that HITLER expressed himself sincerely when he declared at Helden-Platz, on March 15th, "That the return of Austria

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to the mother-nation would be the greatest realization of his lifetime". But evidently he intended to make still greater ones in the future.

The poll on 20 April showed practically Austria's unanimity for the Anschluss. It would be foolish and false to assert that this was not the real will of the Austrian people. There were enough neutral observers in our country, who could prove the contrary. All arrangements made for the voting (processing, lists, commissions and votes) were quite within the limits of the Constitution; the voting was free and secret. The commissions were composed, not only of "old fighters" but also of State and Town Officials. BRUCKEL had given orders, on April 18th, - at the time when I was on my way from Innsbruck to Graz -, that the Party should collect the results of the polls and report them first to him. As I learned this on April 19th, I demanded the immediate cancellation of these orders, for in the eyes of the Fuhrer I would refuse otherwise to be responsible for the smooth, legal evolution of the voting. BURCKEL cancelled them. It is possible that some contested bulletins (Wahlzetteln) have been interpreted in favor of the Nazis and of the Anschluss by the check-commissioners, but this can only represent a very small percentage. It is true that there was no official counter-propaganda and that our propaganda was overwhelming. Even the high Ecclesiastics had made a positive appeal. The Germans of Austria did not express their vote as much out of Party political reflections as out of their very heart's desire. This desire will always prevail. The annexation of Austria has been recognized by the foreign Nations. Therefore, the events of March 1938 are a finished and acknowledged matter of fact.

Before finishing, I want to put anew the question, whether another solution was possible in the situation of Austria? Even today, I come to the conclusion that my personal plan would have met with success, not as to its final goal, but in its methods and policies, if the Austrian State's leadership would have thought of a solution in the sense of national opposition. They acted in their own responsibility. My removal had no other reason. For my own part, I always played with an open hand; SCHUSCHNIGG was certainly never deceived by me. The reasons why my devices were not adopted are because the Patriotic Front (which meant Austrian Clericalism) would not see Austria going side by side with a Germany under the hated Nazi leadership and bringing her help and advantages; because HITLER did not wish to secure the political existence of Austrian Clericalism by giving his consent. The two above mentioned considerations never worried me, for I thought only of the interests of all the Germans. When the Anschluss was achieved, I felt very thankful towards the Fuhrer.

When I am considering how my own behavior at that time, I recognize that my mind and my actions were always inspired basically by my "all-German" feeling, which ought to have led to a reasonable and passionless policy, and eliminated a disputed question instead of creating a new one. And, of course, I did not like to cease working before my work was finished, this is easy to understand. The disappointing experience I had when I saw how the Western Powers dealt with this question showed me that a great energy was necessary for such a task. I was convinced of the possibility of my plan being adopted. A lawful character was given to the final act. Was there not a desire of "being important"? Whoever is not, more or less, ambitious? Perhaps only he who was born to be a perfect wise man, or he who has already gone through a long and bitter lifetime of experience. I was not born to be "wise" and the era of bitter experience was not standing behind me, but in front of me, just as with every German. I think I can say, at any rate, that a desire of "being important" never overwhelmed my feeling of responsibility.

That is how I have described the events from July 1934 until March 1938, as far as I know them. I had to write them from my memory, without the help of any documents or other means. They may be, therefore, somewhat incomplete, but I wrote them according to the best of my knowledge and conscience.

Nurnberg, 9 September 1945
Signed: Seyss-Inquart

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TRANSLATION OF DOCUMENT 3258-PS
OFFICE OF U S CHIEF OF COUNSEL

EXCERPTS FROM

NATIONAL SOCIALISM

BASIC PRINCIPLES, THEIR APPLICATION BY THE NAZI PARTY's FOREIGN ORGANIZATION, AND THE USE OF GERMANS ABROAD FOR NAZI AIMS.

Department of State, Publication 1864

H1175-0152

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Dr. Frick, German Minister of the Interior, in his chapter in Germany Speaks indicates the exclusive position of the party in the Third Reich:

.." In National Socialist Germany, leadership is in the hands of an organised community, the National Socialist Party; and as the latter represents the will of the nation, the policy adopted by it in harmony with the vital interests of the nation is at the same time the policy adopted by the country .... "

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In seinem Kapitel in "Deutschland Spricht" deutet der deutsche Innenminister Dr. Frick die exklusive Stellung der Partei im Dritten Reich an:

..."Im nationalsozialistischen Deutschland liegt die Fuehrung in den Haenden einer organisierten Gemeinschaft, naemlich der national-sozialistischen Partei; da diese den Willen der Nation zum Ausdruck bringt, ist die Politik, die sie im Einklang mit den lebenswichtigen Interessen der Nation verfolgt, zugleich die Politik des Landes ...."

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3258-PS

December 15, 1945

I, OLGA H. HOFFMANN, o46425, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3258-PS.

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The Foreign Organization

..... On May 8, 1933 it was put in charge of its present leader, Ernst Wilhelm Bohle, a protege of Rudolf Hess, who was Hitler's Deputy at that time, and on October 3, 1933 it was placed directly under Hess, Bohle becoming a member of the staff of the Fuehrer's Deputy with the rank of Gauleiter. The present designation, "Foreign Organization of the NSDAP", was ordered by Hess on February 17, 1934. In view of the growth of the organization under Bohle's energetic leadership and to further an increased development the central office of the Foreign Organization was transferred to Berlin in the middle of March1936. The Maritime Division, which dealt with German seamen, remained in Hamburg.

Since there had been considerable friction between the agents of the Foreign Organization and the officials of the German Government's foreign services, the German Foreign Service (diplomatic and consular officials) was inducted in October 1935 as a professional group into the Foreign Organization, thus insuring the collaboration of the Foreign Service men abroad with the Nazi Party agents. With regard to this, Dr. Ehrich, one of Gauleiter Bohle's chief aides,is quoted by the Deutsches Nachrichtenbuero, the official German news agency, as saying, "a decisive step has been taken in strengthening National Socialist leadership among Germans abroad; it is to be hoped that this new arrangement will contribute to a close cooperation between party and state in all fields of foreign effort. Every German abroad knew that only through the Foreign Organization and its numerous cells could he maintain a real connection with what was happening in the Reich. The officials of the Foreign Service must feel himself to be a true fellow German and the trusted helper and National Socialist friend of his countrymen."

The Foreign Organization received its definitive sanction when on January 30, 1937 Bohle was transferred to the Ministry for Foreign Affairs, assuming the title "Head of the Foreign Organization in the Ministry for Foreign Affairs". Whereas formerly the jurisdiction of his organization had nominally merely extended to Nazi Party members abroad, at this time it was explicitly enlarged to include all German citizens abroad. The preamble to this decree gives as the purpose of Bohle's installation in the Foreign Office "the unified care and control (Betreuung) of the German citizens in foreign countries". The vast extent of Bohle's powers is clear, the preamble stating further that "the direction and handling of all matters concerning German citizens abroad are transferred to him." Although according to the provisions of the decree Bohle was placed personally and directly under the German Foreign Ministry, the Foreign Ministry appears to have exercised only a very general control over his work, and it is known that he possessed the privilege of addressing instructions, through the German diplomatic pouches, to the party's agents abroad.

To further reinforce the party's grip upon the Foreign Office, which was progressively and effectively tightened during 1937, the officials of the Foreign Office and all members of the Foreign Service throughout the world were organized into a party group, an "Ortsgruppe", under the authority of Bohle.

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Die Auslandsorganisation.

..... Am 8. Mai 1933 wurde sie ihrem gegenwaertigen Leiter, Ernst Wilhelm Bohle, unterstellt, - der ein Guenstling des damaligen Stellvertreters von Hitler, Rudolf Hess, war; am 3. Oktober 1933 wurde sie Hess unmittelbar unterstellt, waehrend Bohle zu einem Mitglied des Stabes des Stellvertreters des Fuehrers mit dem Rang eines Gauleiters ernannt wurde. Der heutige Name "Auslandsorganisation der N.S.D.A.P." wurde von Hess am 17. Februar 1934 verfuegt. Mit Ruecksicht auf das Anwachsen der Organisation unter Bohles energischer Fuehrung, und um ihre weitere Entwicklung zu foerdern, wurde das Hauptamt der Auslandsorganisation Mitte Maerz 1936 nach Berlin verlegt. Die maritime Abteilung, welche sich mit deutschen Seeleuten befasste, blieb in Hamburg.

Da es zwischen den Agenten der Auslandsorganisation und den Beamten des Auslandsdienstes der deutschen Regierung zu betraechtlichen Reibungen gekommen war, wurde der deutsche Auslandsdienst (diplomatische- und Konsular-Beamte) im Oktober 1935 der Auslandsorganisation als Berufsgruppe einverleibt, und auf diese Weise wurde die Zusammenarbeit zwischen dem im Ausland taetigen Personal des Auslandsdienstes und den Agenten der Nazi-Partei gesichert. Der offizielle deutsche Nachrichtendienst, das DEUTSCHE NACHRICHTEN-BUERO, fuehrt die folgende diesbezuegliche Aeusserung Dr.Ehrichs an, der einer der Hauptmitarbeiter des Gauleiters Bohle war: "Ein entscheidender Schritt zur Staerkung der nationalsozialistischen Fuehrung unter den Deutschen im Auslande ist gemacht worden; wir duerfen hoffen, dass diese neue Anordnung zu einer engen Zusammenarbeit von Partei und Staat auf allen Gebieten unserer Bestrebungen im Ausland beitragen wird. Alle Deutschen im Auslande wissen, dass sie nur durch die Auslandsorganisation und deren zahlreiche Zellen eine wirkliche Fuehlung mit den Vorgaengen im Reich aufrecht erhalten koennen. Der Beamte im Auslandsdienst muss sich als wahrer nationalsozialistischer Freund seiner Landsleute fuehlen."

Die Auslandsorganisation erhielt ihre endgueltige Bestaetigung dadurch, dass Bohle am 30. Januar 1937 in das Ministerium fuer Auswaertige Angelegenheiten eintrat und den Titel "Chef der Auslandsorganisation im Ministerium fuer Auswaertige Angelegenheiten" erhielt. Waehrend die Zustaendigkeit seiner Organisation sich bis dahin angeblich nur auf Nazi-Parteimitglieder im Auslande erstreckt hatte, wurde sie nun ausdruecklich dahin erweitert, dass sie alle deutschen Staatsangehoerigen im Ausland umfasste. Die Praeambel zu dieser Verordnung bezeichnet als Zweck der Einsetzung Bohles in das Auswaertige Amt "Die einheitliche Betreuung deutscher Staatsangehoeriger im Ausland". Der grosse Umfang von Bohles Befugnissen wird klar, wenn es in der Praeambel weiterhin heisst: "Die Leitung und Behandlung aller Angelegenheiten, welche sich auf deutsche Staatsangehoerige im Auslande beziehen, werden ihm uebertragen." Obwohl Bohle nach dem Wortlaut der Verordnung persoenlich unmittelbar dem deutschen Aussenminister unterstellt war, scheint das Aussenministerium seine Arbeit nur ganz allgemein kontrolliert zu haben, und wie bekannt ist, besass er das Vorrecht, auf dem Wege der deutschen diplomatischen Post den Agenten der Partei im Auslande Anweisungen zu erteilen.

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Um den Zugriff der Partei auf das Auswaertige Amt, welcher sich im Jahre 1937 fortschreitend und wirksamer verschaerft hatte, noch zu verstaerken, wurden die Beamten des Auswaertigen Amtes und alle Mitglieder des Auslandsdienstes in der ganzen Welt in einer Parteigliederung - Ortsgruppe - unter dem Befehl von Bohle zusammengefasst.

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At the Foreign Organization's annual assembly of Germans living abroad, in 1937 at Stuttgart, Rudolf Hess, at that time the Fuehrer's Deputy, addressed the audience as follows:

"My German racial comrades, men and women! German seamen! "You stand before me as a slice of the great German racial community, the racial community which extends beyond the borders of our Reich, for National Socialism has not only at home created a national community transcending all classes and groups in a way previously unknown, but it has also included German racial comrades in foreign countries. It has made them conscious and proud members of this racial community!"

.....

"Under the leadership of the Foreign Organization, Germandom abroad is also becoming more and more filled with the National Socialist spirit. The Foreign Organization of the NSDAP has brought together the Germans out there, who even long after the seizure of power were disunited and split by class differences, and joined them with Adolf Hitler's Reich. The National Socialist care for Germandom abroad is maintaining an enormous number of Germans for the nation, who otherwise would be absorbed as cultural fertilizer for other nations."

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Rudolf Hess fuehrte aus:
"Meine deutschen Volksgenossen und Volksgenossinnen ! Deutsche Seefahrer !

"Ihr steht vor mir als Ausschnitt der grossen deutschen Volksgemeinschaft - der Volksgemeinschaft, die sich ueber die Grenzen unseres Reiches hinaus erstreckt, denn der Nationalsozialismus hat nicht nur im Inlande ueber alle Klassen und Staende hinweg eine Volksgemeinschaft geschaffen, wie sie vordem unbekannt war, sondern er hat einbezogen die deutschen Volksgenossen im Auslande. Er hat sie zu bewussten und stolzen Gliedern dieser Volksgemeinschaft gemacht."

.....

"Unter der Fuehrung der Auslands-Organisation wird auch das Auslandsdeutschtum immer mehr von nationalsozialistischem Geist erfuellt. Die Auslandsorganisation der NSDAP hat die noch lange nach der Machtuebernahme in sich zersplitterten, in Klassengegensaetzen auseinanderklaffenden Deutschen draussen zusammengefuehrt und sie verbunden mit dem Reiche Adolf Hitlers. Die Betreuung des Auslandsdeutschtums im nationalsozialistischen Geist erhaelt eine Unzahl von Deutschen der Nation, die sonst als Kulturduenger in anderen Nationen aufgingen."

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TRANSLATION OF DOCUMENT 3258-PS
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(g) German Citizens? Or All Those of German Origin?

With regard to the question whether the activities of the Foreign Organization extended beyond German citizens to include German racial comrades of foreign citizenship, it will be noted that the activities of the Foreign Organization are usually discussed in terms of German racial comrades in general. No distinction is made, especially in the earlier speeches, between German citizens and those of German origin who had adopted citizenship in another country. From 1937 on, however, in view of the growing opposition to the Foreign Organization's activities from neighboring European countries and countries abroad, the leaders of the Foreign Organization found it expedient to state explicity that their work was only concerned with German citizens.

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(g) Deutsche Staatsangehoerige ? Oder alle Personen deutscher Abstammung ?

Zu der Frage, ob die Taetigkeit der Auslandsorganisation sich ueber deutsche Staatsangehoerige hinaus auf deutsche Volksgenossen fremder Staatsangehoerigkeit erstreckte, ist zu beachten, dass bei den Veranstaltungen der Auslandsorganisation gewoehnlich von deutschen Volksgenossen im allgemeinen die Rede ist. Besonders in den fruehesten Reden wird niemals ein Unterschied zwischen Buergern deutscher Staatsangehoerigkeit und solchen deutscher Abstammung, welche die Staatsangehoerigkeit eines anderen Landes erworben haben, gemacht. Jedoch vom Jahre 1937 an, und zwar mit Ruecksicht auf die in den europaeischen Nachbarlaendern und im uebrigen Ausland wachsende Opposition zu der Taetigkeit der Auslandsorganisation, fanden es die Leiter der Auslandsorganisation zweckmaessig, ausdruecklich zu erklaeren, dass ihre Arbeit sich nur mit deutschen Staatsangehoerigen befasse.

December 15 1945

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The world-wide scope of the VDA's work is also clearly stated by Schaefer:

"We see that the sphere of the VDA's work has become very great, it encompasses the entire planet, and it is by far not able to satisfy the demands made upon it. Also for this reason its aim must remain: the unification of all Germans to one great community of destiny, to a nation". (Document 32-A, post p. 426.)

Pamphlets and manifestoes of the VDA leave no doubt that among the "lost sons" are millions of citizens of the United States. The United States is included in the long list of countries containing German racial comrades, in an advertisement appearing February 22, 1934 in the Berliner Boersen Zeitung, an authoritative Berlin newspaper, which further states:

"The Germans are a people of 100 millions!"

"The great German racial community is fighting all over the whole planet."

"The VDA is the trustee of the 30 million Germans in foreign countries!"

V D A
Volksbund fuer das Deutschtum im Ausland

Seite 114-115 des Dokuments

2. Ziele

..... Die weltumspannende Reichweite der VDA-Arbeit wird auch von Schaefer klar zum Ausdruck gebracht:

"Wir sehen, dass der Bereich der VDA-Arbeit sich sehr weit erstreckt; sie umfasst den ganzen Planeten und ist bei weitem nicht imstande, allen an sie gestellten Anforderungen zu genuegen. Aus diesem Grunde auch muss es ihr Ziel bleiben, alle Deutschen zu einer grossen Schicksalsgemeinschaft, zu einer Nation zusammenzuschliessen" (Dokument 32-A unten S. 426).

Flugschriften und Kundgebungen des VDA lassen keinen Zweifel daran, dass sich unter den "verlorenen Soehnen" Millionen Staatsangehoerige der Vereinigten Staaten befinden. In einer Anzeige, die am 22. Februar 1934 in einem fuehrenden Berliner Blatt, der Berliner Boersenzeitung, erschien, sind die Vereinigten Staaten in einer langen Liste der Laender mit deutschen Volksgenossen aufgefuehrt und es heisst dort ferner:

"Die Deutschen sind ein 100 Millionen Volk!"

"Die grosse deutsche Volksgemeinschaft steht ueberall auf dem ganzen Planeten im Kampf."

"Der VDA ist der Treuhaender fuer 30 Millionen Deutsche im Ausland!"

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H1175-0160

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"Research and Information Service

"The Institute keeps itself posted concerning the cultural and business activities of Germans in foreign parts and maintains lists of German clubs and firms which are available to reliable persons wishing to enter into correspondence with these groups. In a certain sense it thus helps to further German trade, as it handles inquiries of a business nature and facilitates the making of initial contacts. The Institute, moreover, keeps a card index file of the family history of Germans who have left the Fatherland, bearing in particular upon their "racial integrity". Through its correspondents abroad who report directly to it the Institute is informed of the status and progress of "Germanism" in particular countries. The reaction of the resident population is also recorded in special reports and clippings from the local press. The Institute is thus in a sense the seismograph which registers everything relating to the cause of "Germanism".

"Propaganda Work

"The Institute is one, but probably the most important, of the agencies which prepare and disseminate propaganda abroad in the form of books, pamphlets, periodicals and communiques. .....

"The Institute also has a hand in organizing the frequent and periodical broadcasts transmitted to foreign Germans by the powerful short-wave stations of the Reich radio system. The Stuttgart broadcasting station is housed in the building of the Institute which furnishes with appropriate material this station as well as others belonging to the German chain. The main object of the programs thus supplied is to keep Germans living in other countries in constant touch with developments in the Reich, to stimulate their interest in the Reich, to develop social, political and economic relationships favorable to Germany, and to convince them of the success of National Socialism. .....

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D A I
(Deutsches Auslands - Institut)

Forschungs- und Auskunftsstelle"

"Das Institut haelt sich fortlaufend unterrichtet ueber die kulturelle und geschaeftliche Taetigkeit der Deutschen in fremden Gegenden und fuehrt ein Verzeichnis deutscher Klubs und Firmen, welches vertrauenswuerdigen Personen, die mit diesen Gruppen korrespondieren wollen, zugaenglich gemacht wird. In gewissem Sinne foerdert es dadurch den deutschen Handel, insofern als es sich geschaeftlicher Anfragen annimmt und die Anknuepfung von Beziehungen erleichtert. Ueberdies fuehrt das Institut eine Kartothek ueber die Familiengeschichte derjenigen Deutschen, die das Vaterland verlassen haben, welche insbesondere ueber ihre Rassenreinheit Aufschluss gibt. Das Institut wird durch direkte Berichte seiner Korrespondenten im Auslande ueber den Stand und Fortschritt des "Germanismus" in den einzelnen Laendern auf dem Laufenden gehalten. Auch das Verhalten der einheimischen Bevoelkerung wird durch Spezial-Berichte und Ausschnitte aus der oertlichen Presse wiedergegeben. Auf diese Weise ist das Institut gewissermassen ein Seismograph, welcher alles, was auf die Sache des Germanismus Bezug hat, registriert.

H1175-0161

Propaganda-Arbeit.

"Das Institut ist wahrscheinlich eine der wichtigsten Dienststellen, welche Propaganda-Material in Form von Buechern, Flugschriften, periodischen Zeitschriften und Mitteilungen anfertigen und im Ausland verbreiten.

.....

Das Institut ist ebenfalls beteiligt an der Veranstaltung regelmaessig wiederholter Sendungen, die von starken Kurzwellen-Sendern des Reichsrundfunk-Netzes den Deutschen im Ausland uebermittelt werden. Der Stuttgarter Sender befindet sich im Gebaeude des Institutes, welches diesen, als auch andere Sender des deutschen Netzes mit geeignetem Material versorgt. Das Hauptziel der so gelieferten Programme ist es, den im Ausland lebenden Deutschen zu ermoeglichen, mit der Entwicklung im Reich dauernd in Fuehlung zu bleiben, ihr Interesse am Reich anzuregen, gesellschaftliche, politische und wirtschaftliche Beziehungen zu Gunsten Deutschlands zu pflegen und sie von dem Erfolg des National-Sozialismus zu ueberzeugen.

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(cont.)

(Footnote):

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However, the March-April 1942 issue of the DAI periodical Deutschtum im Ausland names Dr. Hermann Ruediger as the Institute's Manager, Dr. Csaki having become in the meantime a member of the Board of Directors. The same issue discloses that the notorious Walter Kappe, well known in the United States, is managing editor of the periodical but on leave for military duty.

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(Fuss-Note):

Die DAI-Zeitschrift "Deutschtum im Ausland" nennt indessen in ihrer Ausgabe vom Maerz-April 1942 Dr. Hermann Ruediger als Leiter des Institutes, nachdem inzwischen Dr. Csaki Vorstandsmitglied geworden war. Aus derselben Ausgabe geht hervor, dass der in den Vereinigten Staaten wohlbekannte, beruechtigte Walter Kappe leitender Redakteur der Zeitschrift, aber zum Militaerdienst beurlaubt ist.

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The liberalistic ideology which has been overcome dealt with the formal concept of the citizen. We have gotten rid of that. Today the blood-united German racial-comrade stands in the center. That is the new foundation upon which we must build.

Hence I want to impress on the Deutsches Ausland-Institut: Join us therefore in taking care that the spirit of National Socialism also become alive among the German racial-comrades in foreign countries, so that streams of energy may emanate from it!

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Die ueberwundene liberalistische Weltanschauung arbeitete mit dem formalen Begriff des Staatsbuergers. Wir haben damit aufgeraeumt. Heute steht im Mittelpunkt der blutmaessige deutsche Volksgenosse. Das ist das neue Fundament, auf dem wir aufbauen muessen.

So will ich dem Deutschen Auslandinstitut warm ans Herz legen: Sorgt mit uns dafuer, dass auch bei den deutschen Volksgenossen imAusland der Geist des Nationalsozialismus lebendig wird, dass von ihm Krafstroeme ausgehen!

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At the twentieth annual meeting of the DAI held at Stuttgart on August 11-15, 1937, the subject of assimilation was one of the main topics discussed. This meeting was likewise attended by very prominent officials of the German Government, including Foreign Minister Baron von Neurath, Minister of the Interior Frick, and the Governor of Wuerttemberg and his entire Cabinet; officials of the German party; representatives of Alfred Rosenberg's Party Office; and many other prominent persons. Hence the views expressed represented both German party-state officialdom and the DAI.

According to an entirely reliable confidential report, dated August 21, 1937 the German Minister of the Interior, Frick, in his address at the culminating reception of the meeting -

"declared that the new Germany has recognized that its attention and devotion to the welfare of the millions of Germans, who have not the fortune to owe political allegiance to Germany, but who are condemned to live abroad, are not merely a matter of natural sympathy and solidarity, but are in a higher degree dictated by the strong political and economic interests of the Reich. He protested strongly against attempts of foreign nations to assimilate German blood and argued that those nations, which realize that they will gain nothing by such endeavors, but which will recognize the aspirations of Germans living in their midst, will gain the friendship of the mighty German Reich, which will then be prepared to make economic concessions to them..... Herr Frick also said that the principles of National Socialism, which are directing the cultural and political life of the German nation, will constitute in the future a source of strength and of confidence for millions of Volksdeutsche (persons of German blood) living in foreign countries."

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Auf der 20. Jahresversammlung des DAI, welche vom 11. bis 15. August 1937 in Stuttgart stattfand, war das Thema der Assimilation einer der Hauptgegenstaende, die besprochen wurden. Auch dieser Versammlung wohnten sehr prominente Beamte der deutshhen Regierung bei, darunter Aussenminister Baron von Neurath, Innenminister Frick, und der Statthalter von Wuerttemberg mit seinem ganzen Kabinett; Beamte der deutschen Partei, Vertreter von Alfred Rosenberg's Parteiamt; und viele andere hervorragende Persoenlichkeiten. Daher waren die hier zum Ausdruck gebrachten Ansichten massgebend fuer beide, das Beamtentum des deutschen Partei-Staates und das DAI.

Nach einem bestimmt zuverlaessigen vertraulichen Bericht vom 21. August 1937, erklaerte der deutsche Innenminister Frick in seiner Rede auf dem Empfang, der den Hoehepunkt der Tagung bildete:

"Das neue Deutschland hat erkannt, dass seine Aufmerksamkeit und Hingabe an das Wohl von Millionen Deutscher, welche nicht das Glueck haben, Deutschland politische Treue zu schulden, sondern dazu verurteilt sind, im Ausland zu leben, nicht nur eine Sache natuerlicher Sympathie und Verbundenheit ist, sondern in noch hoeherem Masse von starken politischen und wirtschaftlichen Interessen des Reiches diktiert wird. Er protestierte staerkstens gegen die Versuche anderer Nationen zur Assimilation deutschen Blutes und behauptete, dass jene Nationen, welche einsehen, dass sie durch solche Bemuehungen nichts gewinnen koennen, und welche die Bestrebungen der in ihrer Mitte lebenden Deutschen anerkennen, die Freundschaft des maechtigen deutschen Reiches gewinnen werden, welches dann bereit sein wird, ihnen wirtschaftliche Zugestaendnisse zu machen.

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Herr Frick sagte ebenfalls, dass die Grundsaetze des National-Sozialismus, welche das kulturelle und politische Leben des deutschen Volkes bestimmen, in der Zukunft fuer Millionen der im Ausland lebenden Volksdeutschen eine Quelle der Kraft und des Vertrauens bilden werden."

December 15 1945

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An account published in July 1941 in Deutsches Wollen, the magazine of the party's Foreign Organization, relates the activities of the Nazi Party group in Greece before and after the German Army entered Athens. After the entrance of the Germans, in the words of this group's leader, all the party members performed "auxiliary service with the Army".

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Ein Bericht vom Juli 1941 in der Zeitschrift der Auslandsorganisation der Partei "Deutsches Wollen" schildert die Taetigkeit der Nazi-Partei-Gruppe in Griechenland vor und nach dem Einmarsch der deutschen Armee in Athen. Nach den eigenen Worten des Leiters dieser Gruppe leisteten alle Partei-Mitglieder nach dem Einzug der Deutschen "Hilfsdienst in der Armee".

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Circular Letter to all Comrades

Dear Comrades!

When in 1938 we undertook the task of extending throughout the Reich the idea of Sepp Schuster, who earlier had gathered about him in Munich a numerous circle of former fighters from the Bund "Friends of the New Germany", and of establishing the "Comradeship USA", we were moved by three reasons:

first, we wished to continue here in the fatherland the comradeship which enabled us to overcome all obstacles and difficulties over there (in the United States) to help each other and, by the exchange of our experiences during the period of struggle in the United States, to gather strength and courage for our daily work,

second, we wished also through the establishment of this Comradeship to place at the disposal of our fatherland ourselves and the experience which we gained over there,

and, finally, we hoped in some manner to give our fighting brothers over there moral support, even if only through the fact that we, who had returned, loyally remembered the brave fighters at whose side we stood through the years at the front.

Accordingly, Comradeship groups were established in Stuttgart, Berlin, Hamburg, and Hanover; and shortly before the beginning of the war it was possible, through the cooperation of the German Foreign Institute and the city of Stuttgart, to hold the first national meeting of the Comradeship USA in conjunction with the opening of the exposition "American Germanism in Combat", an unforgettable experience for all who participated!

The war drew a heavy line through our extensive plans for the future, and further repatriation practically stopped. The greater part of our comrades hastened to the flag, some Comradeship groups were completely orphaned. Furthermore, Fritz Gissibl was transferred to the east to Litzmannstadt (Lodz, Poland), Sepp Schuster went to Berlin, and, in the first days of the war, Ernst Vennekohl and I exchanged the desk for weapons.

(p.4) Consequently, at present our list of addresses is partly out of date. Many comrades have moved without furnishing us with their new addresses. A number of letters which I have written recently in an effort to revive our Comradeship remain unanswered.

Nevertheless, the Comradeship USA still lives. That is evident from the work of our Berlin group, which, in the meantime, has become by far the largest. That is also known to the comrades in the field who were remembered last Christmas with a package. That is apparent in all letters from the front and is also heard in the often impatient inquiries as to what the Comradeship is actually doing.

It is, therefore, only necessary to give the first stimulus to the resumption of our activity. That is to be provided by this first circular letter.

Walter Kappe

H1175-0168

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Seite 264-265
des
Dokuments

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Rundbrief an alle Kameraden

Liebe Kameraden!

Als wir im Jahre 1938 daran gingen, die Idee Sepp Schusters, der schon fruehrer in Muenchen einen stattlichen Kreis einstiger Mitkaempfer aus dem Bund "Freunde des Neuen Deutschlands" um dich geschart hatte, auf das Reichsgebiet zu erweitern und die "Kameradschaft USA." zu gruenden, bewogen uns dazu drei Gesichtspunkte:

einmal wollten wir die Kameradschaft, die uns drueben alle Hindernisse und Schwierigkeiten bewaeltigen liess und in der wir unser hoechstes Erlebnis fanden, hier im Vaterlande fortsetzen, uns gegenseitig helfen, im Austausch unserer Erinnerungen an die Kampfzeit in USA. uns Kraft und Mut fuer den Alltag holen,

zum anderen aber wollten wir durch Bildung dieser Kameradschaft uns selbst und unsere drueben gesammelten Erfahrungen unserem Vaterland zur Verfuegung stellen

und schliesslich erhofften wir, irgendwie unseren kaempfenden Bruedern drueben einen moralischen Rueckhalt zu geben und sei es nur durch die Tatsache, dass wir, die Rueckgewanderten, in Treue jener tapferen Kaempfer gedachten, mit denen wir Jahre hindurch in einer Front gestanden hatten.

So wurden in Stuttgart, Berlin, Hamburg, Hannover Kameradschaften gegruendet und kurz vor Kriegsbeginn konnte durch Entgegenkommen des Deutschen Ausland-Institutes und der Stadt Stuttgart das erste Reichstreffen der Kameradschaft USA. verbunden mit der Eroeffnung der Ausstellung "Amerika-Deutschtum im Kampf" abgehalten werden, ein unvergessliches Erlebnis fuer alle Teilnehmer!

Der Krieg machte durch unsere weiteren Zukunftsplaene einen dicken Strich, auch hoerte die weitere Rueckwanderung so gut wie auf. Ein grosser Teil unserer Kameraden eilte zu den Fahnen, einzelne Kameradschaftsgruppen verwaisten voellig. Dazu kam, dass Fritz Gissibl im Osten, in Litzmannstadt, eingesetzt wurde, Sepp Schuster nach Berlin ging, Ernst Vennekohl und ich schon vom ersten Kriegstage an den Schreibtisch mit der Waffe vertauschten.

So ist denn heute unsere Anschriftenliste zum Teil veraltet, viele Kameraden sind verzogen, ohne uns ihre neue Anschrift hinterlassen zu haben. Eine Reihe von Briefen, die ich in letzter Zeit in dem Bemuehen schrieb, unsere Kameradschaft neu zu beleben, blieb ohne Antwort.

Trotzdem aber lebt die Kameradschaft USA,, das spuert man aus der Arbeit unserer Berliner Gruppe, die inzwischen die weitaus groesste geworden ist, das wissen auch die im Felde stehenden Kameraden, die auch zum letzten Weihnachtsfest mit einem Paeckchen bedacht wurden, das klingt auch aus allen Feldpostbriefen und das hoert man aus den oft ungeduldigen Anfragen, was denn eigentlich die Kameradschaft mache.

Es kommt also nur darauf an, den ersten Anstoss zur Wiederaufnahme unserer Taetigkeit zu geben.

Das soll dieser erste Rundbrief besorgen.

(Walter Kappe)

H1175-0169

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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Collection of Documents Concerning the Movement:

The collection of pictures, photos, handbills, pamphlets, newspaper clippings, and posters of the German national movement in the United States, which was begun by me in the spring of 1939, will be continued.

The material already at hand is to be built up to a complete collection, which later is to be incorporated into the German Foreign Institute as well as the Central Archives of the NSDAP in Munich, as an eternal record of our struggle in the United States.

The original documents will be returned to each comrade after recording, so that no sacrifice of personal souvenirs will occur. I only ask you to have patience.

Seite 267 des Dokuments

Sammlung von Dokumenten aus der Bewegung:

Die von mir im Fruehjahr 1939 eingeleitete Sammlung von Bildern, Fotos, Flugblaettern, Broschueren, Zeitungsberichten und Plakaten aus der voelkischen Bewegung in USA. wird fortgesetzt.

Mit dem bereits vorhandenen Material soll es zu einer lueckenlosen Sammlung ausgestaltet werden, die spaeter einmal dem Deutschen Ausland-Institut sowie dem Zentralarchiv der NSDAP. in Muenchen als ewiges Dokument unseres Kampfes in USA. einverleibt werden soll.

Die Originalstuecke werden nach Bearbeitung an jeden Kameraden zurueckgegeben werden, sodass eine Einbusse an persoenlichen Andenken nicht erfolgt. Nur bitte ich, Geduld zu haben.

H1175-0170

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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The Fuehrer had to come in order to hammer into all of us the fact that the German cannot choose and may not choose whether or not he will be German but that he was sent into this world by God as a German and that God thereby had laid upon him as a German duties of which he cannot divest himself without committing treason to Providence. Therefore, we believe and we know that the German everywhere is a German - whether he lives in the Reich or in Japan, in France or in China, or anywhere else in the world. Not countries or continents, not climate or environment but blood and race determine the world of ideas of the German.

Seite 125

Der Fuehrer musste kommen, um uns allen die Tatsache einzuhaemmern, dass der deutsche Mensch nicht waehlen kann und nicht waehlen darf, ob er deutsch sein will oder nicht, sondern dass er als Deutscher auf diese Welt von Gott gesetzt worden ist, und dass Gott ihm dabei Pflichten als Deutscher auferlegt, deren er sich nihht entledigen kann, ohne Verrat an der Vorsehung zu ueben. Deshalb glauben wir und wissen wir, dass der Deutsche ueberall Deutscher ist - mag er leben im Reich oder in Japan, in Frankreich oder in China oder sonstwo auf dieser Welt. Nicht Laender oder Weltteile, nicht Klima oder Umgebung, sondern Blut und Rasse bestimmen die Gedankenwelt des Deutschen.

* Dieser deutsche Originaltext ist von Seite 125 des folgenden Buches entnommen:

Der Parteitag der Ehre. 2. Auflage, 1936
Zentralverlag der NSDAP, Franz Eher Nachf. Muenchen

(This German original text has been taken from page 125 of the following book:

Der Parteitag der Ehre. 2. Auflage, 1936
Zentralverlag der NSDAP, Franz Eher Nachf., Munich)

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TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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Seite 382-383 des Dokuments

Rudolf Hess gedenkt zum Abschluss seiner Rede der Stuttgarter Tage des vergangenen Jahres, als hier in Stuttgart deutsche Maenner und Frauen, deutsche Buben und Maedel in ihren heimischen Trachten erschienen waren, gluehend beseelt vom grossdeutschen Gedanken, leidenschaftlich bewegt vom National-Sozialismus, aber doch eben aeusserlich Volksdeutsche, Deutsche fremder Staatsangehoerigkeit.

"Heute", so fuhr Rudolf Hess fort, "stehen sie auch aeusserlich in unseren Reihen. Sie werden stolz und gluecklich in den Formationen der national-sozialistischen Bewegung an ihrem Fuehrer in Nuernberg vorbeimarschieren - diesmal als Reichsdeutsche ! Und wir alle sind von Herzen gluecklich, wenn wir sie sehen. Sie haben einen langen und zaehen Kampf gekaempft, einen Kampf mit einem hinterhaeltigen und verlogenen Gegner. Sie haben sich ihre Heimat erkaempft, und sie haben sich zu der Liebe, die ihnen Deutschland immer entgegengebracht, die stolze Anerkennung des ganzen Volkes errungen."

Der Kampf der Sudetendeutschen.

Rudolf Hess gedenkt hier des aehnlichen Ringens in einer anderen deutschen Volksgruppe um ihr nationales Lebensrecht: "Mit tiefster Anteilnahme fuer ihre Leiden sieht das deutsche Volk auf die deutschen Volksgenossen in der Tschechoslowakei. Niemand auf der Welt, der sein eigenes Volk liebt und stolz auf sein Volk ist, wird es uns verdenken, wenn wir auch hier von dieser Stelle aus unsere Gedanken zu den Sudetendeutschen wenden, wenn wir ihnen sagen, dass wir voller Bewunderung sehen, wie sie trotz schlimmster Schikane, trotz Terror und Mord, eiserne Disziplin wahren. Haette es ueberhaupt eines Beweises bedurft, dass beste deutsche Tugenden sich im Sudetendeutschtum verkoerpern, dann ist es diese eiserne Disziplin und die unerschuetterliche Ruhe, die aus dem Gefuehl des eigenen Rechts kommt. Ihr wisst es im Sudetenland: Wir sind mit heissem Herzen bei Euch. (Mit jubelnder Begeisterung unterstreichen die Massen diesen Gruss des Stellvertreters des Fuehrers an die Sudetendeutschen). Bei Euch liegt das Recht von 3 1/2 Millionen deutscher Menschen, das Recht von Millionen Angehoerigen eines grossen Volkes, ihr Leben so zu fuehren und so zu gestalten, wie es die Zugehoerigkeit zu diesem Kulturvolk gebietet."

~~Page 382-383~~ of Document

At the close of his talk, Rudolf Hess recalls the days last year in Stuttgart, when German men and women, German boys and girls in their native costumes appeared here in Stuttgart, aglow with enthusiasm for the idea of a Greater Germany, passionately moved by National-Socialism but nevertheless outwardly "Volksdeutsche", Germans of foreign citizenship.

"Today", Rudolf Hess continued, "they also stand openly in our ranks. Proudly and happily they will march in the formations of the National Socialist movement past their Fuehrer in Nuremberg - this time as German citizens ! .....

With all our hearts we rejoice as we see them. They have fought a long and tough battle, a battle against a treacherous and mendacious enemy. They have succesfully fought for the possession of their homeland and in addition to the affection always shown them by Germany, have won the proud recognition of the entire nation ."

H1175-0172

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The Struggle of the Sudeten-Germans

Rudolf Hess then recalls the similar struggle of another German folk-group for its national rights to live:

"The German people looks at the German racial comrades in Czechoslovakia with the profoundest sympathy for their suffering. No one in the world, who loves his own people and is proud of his own people, will find fault with us, if from this place here we also turn our thoughts to the Sudeten Germans, if we say to them that filled with admiration we see how they are maintaining an iron discipline, despite the worst chicanery, despite terror and murder! If it had in general required a proof, that the best German virtues are embodied in Sudeten Germandom, then it is proved by this iron discipline, and this steadfast calm, which comes from the feeling of one's own right. You in Sudetenland know: We stand by you, with passionate hearts. (The masses emphasize this greeting of the Fuehrer's Deputy to the Sudeten Germans with jubilant enthusiasm.) The right of three and one-half million Germans lies with you, the right of millions of members of a great people to conduct their life and so to shape it as adherence to this people of culture demands".

December 16 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3258-PS

I. OLGA HOFFMANN, 046425, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 3258-PS.

OLGA HOFFMANN
046425

H1175-0173

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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of
Document

VEREIN FUER DAS DEUTSCHTUM IM AUSLAND
(LEAGUE FOR GERMANDOM IN FOREIGN COUNTRIES)
BERLIN W 30, MARTIN LUTHER STREET 97

THE REICH'S MINISTER OF THE INTERIOR IS FOR THE VDA WORK!

Transcript II B 7855/27.4
THE REICHS MINISTER OF THE INTERIOR
II B 7855/4.2

BERLIN, February 24,1933

To the Governments of the Federal States
(Landesregierungen)

Re: Verein fuer das Deutschtum im Ausland,
(League for Germandom in Foreign Countries)
Deutscher Schulverein e.V.
(German School League, Inc.)

My Ministry in its attention to national tasks has to a special degree exercised protection over and furtherance of Germandom in the border countries and Germandom in foreign countries. A large number of institutions concerned with special tasks in this sphere are being supported as far as possible by means at my disposal. Among all these the League for Germandom in Foreign Countries, German School League, Inc., Berlin, enjoys an especially favored position. To its work carried on for half a century is due the maintenance of so many German schools, churches, newspapers, or other institutions in the German settlements in foreign countries. Without such maintenance of these institutions large German folkgroups, especially under the pressure of the post-war period, would have perished as cultural fertilizer for foreign peoples. Unfortunately in past years a certain reserve among wide circles of the population was noticeable with regard to the propaganda work of the above-named national League, and also administrative restrictions on its activities have not been left undone. It appears to me, therefore, as an urgent duty of the Reich and of the federal states not only to set aside such hindrances but also to enable the League for Germandom in Foreign Countries to unfold the increased propaganda work in all spheres which it desires. Also, regard for the needs and misery of the time, and for the lack of work and bread within Germany, ought not to divert attention from the fact that the around 30 million Germans in foreign countries (Auslandsdeutschen) outside of the present contracted borders of the Reich are an integral part of the entire German people. They are an integral part, which the Reich's Government is not able to help economically, but whose cultural support through the league primarily concerned with this, the League for Germandom in Foreign Countries it considers it is obligated to make possible.

I should like accordingly to direct the special attention of the governments of the federal states to the activity of the League for Germandom in Foreign Countries with the idea that it be accorded privileged treatment. It is primarily by the school groups which carry on the propaganda work of the League, in which at the same time the education of the youth to patriotic thinking takes place, an education which is above denominational and party differences. I will, therefore, attach the greatest value to the fact that its school meetings be accorded the greatest freedom of action and that the pupils be allowed to wear the insignia of the League in the schools. I would expect an effective enlivenment of this work, if the supervisors of all the schools, in their annual reports to their superior authorities concerning the school activities, will be urged to report the furtherance of the League by the school groups of each school.

H1175-0174

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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Last year, in accordance with the particular desire of the Reich's President, the "German School Celebration", aiming to extend the pan-German consciousness of our youth beyond the borders of the Reich, was held with great success in the Berlin Stadium. Moreover, in the current year the "German School Celebration" is to take place in Beuthen, Breslau, Erfurt, Duesseldorf, Gera, Gladbeck, Koeslin, Cologne, Munich, Nuremberg, Karlsruhe, and Stettin, among others. I would welcome it, if the "German School Celebration" could be introduced extensively through the Reich, since no project is more suited to put all the schools, and especially the elementary schools, in the service of Germandom in foreign countries, while the big national assembly of the VDA always affects only groups, primarily those from the higher schools. I am honored, therefore, to refer the governments of the federal states especially to the introduction of the "German School Celebration", so that the school authorities may be induced to support this event and to facilitate the preparations for the celebration by special orders, as has occured in Berlin.

Along with the school work of the League for Germandom in Foreign Countries, its general propaganda work among the public has assumed greater significance for the continuance of the German folk-groups in foreign countries in the same measure in which, in view of the financial situation of the Reich and of the federal states, the possibility of granting direct subsidies from the budget has become smaller. In the last year, with the approval of the Prussian State Commissar for the Regulation of Relief Work, a collection has taken place in all Prussia and, despite the poor economic situation, has had gratifying results in view of the national awakening of the German people, so that the League has approximately succeeded through the new collections in compensating for the considerable decrease of its other income. The request of the League, by intercession with the governments of the federal states to enable it to carry out this collection throughout the whole of the Reich, is accordingly most cordially seconded by me. The success of last year's collection was due to the fact that in Prussia the Senior Presidents, the Governing Presidents, and the State Councilors have devoted themselves to the service of the cause in the most commendable way. I would be grateful if all the governments of the federal states permit this collection and further it in the same way.

I would appreciate an answer approving my preceding remarks, and in the given case a report concerning what has already been done.

I have sent a copy to the Foreign Office.

Signed, FRICK

Seite 444-445
des
Dokuments

Der Reichsminister
fuer die V.D.A.-Arbeit!

Abschrift II B 7855/27. 4.
Der Reichsminister des Innern.
II B 7855/4.2.

Berlin, den 24. Februar 1933

An die Landesregierungen.

Betrifft: Verein fuer das Deutschtum im Ausland,
Deutscher Schulverein e.V.

Bei der Pflege der nationalen Aufgaben hat mein Ministerium in besonderem Masse den Schutz und die Foerderung des Grenz-und Auslanddeutschtum ausgeuebt. Eine groessere Zahl mit Sonderaufgaben auf diesem Gebiete betrauter Einrichtungen wird aus mir zur Verfuegung stehenden Mitteln so weit moeglich unterstuetzt. Unter allen diesen nimmt der Verein fuer das Deutschtum im Ausland, Deutscher Schulverein e.V., Berlin, eine bevorzugte Stellung ein. Seiner durch ein halbes Jahrhundert hindurchgefuehrten

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TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Arbeit ist die Erhaltung so mancher deutschen Schule, Kirche, Zeitung oder sonstigen Einrichtung in den Volkssiedlungen deutscher Abstimmung im Ausland zu verdanken. Ohne die Erhaltung dieser Einrichtungen waeren grosse deutsche Volksgruppen vor allem unter dem Druck der Nachkriegszeit als Kulturduenger fremden Volkstums untergegangen. Leider war in den vergangenen Jahren eine gewisse Zurueckhaltung weiter Volkskreise gegenueber der Werbearbeit des genannten Volksvereins festzustellen und auch behoerdliche Einengungen seiner Taetigkeit sind nicht unterblieben. Es erscheint mir jedoch als dringende Pflicht des Reichs und der Laender, nicht nur solche Hemmungen zu beseitigen, sondern dem Verein fuer das Deutschtum im Ausland auf allen von ihm gewuenschten Gebieten eine groessere Entfaltung der Werbung zu ermoeglichen. Es darf auch die Ruecksicht auf die Not und das Elend der Zeit, auf den Mangel an Arbeit und Brot im Binnendeutschland den Blick nicht davon ablenken, dass die rund 30 Millionen Auslanddeutschen ausserhalb der verengerten gegenwaertigen Reichsgrenzen ein Bestandteil des deutschen Gesamtvolkes sind, ein Bestandteil, dem die Reichsregierung zwar wirtschaftlich keine Hilfe zu bringen vermag, dem sie jedoch die kulturelle Stuetzung durch den in erster Linie hiermit befassten Verein fuer das Deutschtum im Ausland zu ermoeglichen sich verpflichtet haelt.

Ich moechte daher die besondere Aufmerksamkeit der Regierungen der Laender auf die Taetigkeit des Vereins fuer das Deutschtum im Ausland mit dem Ziele lenken, dass ihm eine bevorzugte Behandlung zuteil werde. Vornehmlich sind es die Schulgruppen, die die Werbung des Vereins tragen, in denen sich zugleich eine ueberkonfessionelle und ueberparteiliche Erziehung der Jugend zum vaterlaendischen Denken vollzieht. Ich wuerde daher groessten Wert darauf legen, dass seinen Schulsammlungen weitester Spielraum gewaehrt wird und dass auch den Schuelern und Schuelerinnen das Tragen von Abzeichen des Vereins innerhalb der Schule gestattet wird. Eine wirksame Belebung dieser Arbeit wuerde ich mir davon versprechen, wenn die Leitung aller Schulen in ihren Jahresberichten ueber den Schulbetrieb auch ueber die Foerderung des Vereins fuer das Deutschtum durch die Schulgruppen jeder Schule den vorgesetzten Behoerden gegenueber sich zu aeussern angehalten wuerden.

Zur Weitung des gesamtdeutschen Bewusstseins der Jugend ueber die Reichsgrenzen hinweg hat im vergangenen Jahre, von besonderen Wuenschen des Herrn Reichspräsidenten geleitet, im Berliner Stadion das "Fest der deutschen Schule" mit grossem Erfolge abgehalten werden koennen. Im laufenden Kalenderjahr soll das "Fest der deutschen Schule" ausserdem in Beuthen, Breslau, Erfurt, Duesseldorf, Gera, Gladbeck, Koeslin, Koeln, Muenchen, Nuernberg, Karlsruhe, Stettin, u.a. stattfinden. Ich wuerde es begruessen, wenn das "Fest der deutschen Schule" in weiten Kreisen des Reichs zur Einfuehrung kaeme, da kein Vorhaben geeigneter ist, alle Schulen, somit auch gerade die Volksschulen, in den Dienst des Auslanddeutschtums zu stellen, waehrend die grosse Reichstagung des VDA stets nur Gruppen, vor allem solche der hoeheren Schulen, erfasst. Ich beehre mich daher, die Regierungen der Laender besonders auf die Einfuehrung des "Festes der deutschen Schule" hinzuweisen, damit die Schulbehoerden veranlasst werden, sich hinter die Veranstaltung zu stellen, und durch besondere Erlasse, wie es in Berlin geschehen ist, die Vorbereitungen des Festes erleichtern.

Neben der Schularbeit des Vereins fuer das Deutschtum im Ausland hat seine allgemeine Werbung in der Oeffentlichkeit an ernster Bedeutung fuer das Weiterbestehen der deutschen Volksgruppen im Ausland in demselben Ausmasse gewonnen, in dem angesichts der Finanzlage von Reich und Laendern die Moeglichkeit aus Etatsmitteln unmittelbare Zuschuesse zu gewaehren, geringer geworden ist. Im vergangenen Jahr hat mit Genehmigung des Preuss. Staatskommissars fuer die Regelung der Wohlfahrtspflege in ganz Preussen eine Landessammlung stattgefunden, die trotz der schlechten Wirtschaftslage angesichts des nationalen Erwachens des deutschen Volkes einen erfreulichen Erfolg gehabt hat, sodass es dem Verein gelungen ist, die erhebliche Verringerung seiner sonstigen Einnahmen durch die neuen Sammlungen annaehernd aus zugleichen. Die Bitte des Vereins, ihm durch Fuersprache bei den Regierungen der Laender die Durchfuehrung dieser Landessammlung im ganzen Reichsgebiet zu ermoeglichen, wird daher von mir lebhaft befuerwortet.

H1175-0176

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

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Der Erfolg der vorjaehrigen Sammlung war darauf zurueckzufuehren, dass in Preussen die Oberpraesidenten, die Regierungspraesidenten und die Landraete sich dankenswerterweise selbst in den Dienst der Sache gestellt haben. Ich waere dankbar, wenn nunmehr alle Laendesregierungen die Landessammlungen zuliessen und in gleicher Weise foerderten.

Fuer eine zustimmende Ausserung zu meinen vorstehenden Ausfuehrungen, gegebenenfalls fuer eine Mitteilung ueber das bereits Veranlasste waere ich dankbar.

Dem Auswaertigen Amt habe ich Abschrift uebersandt.

gez. FRICK

H1175-0177

TRANSLATION OF DOCUMENT 3322-PS
OFFICE OF U S CHIEF OF COUNSEL

FROM: ORGANISATIONSBUCH DER NSDAP

(National Socialist Party's Book on Organisation).

OFFICE FOR RACIAL POLICIES OF THE NSDAP

and its Deputies.

I. Mission and sphere of competence.

The scope and competence of the Office for Racial Policies of the NSDAP are outlined in the decree of November 17 1933, which was given to its chief by the Deputy of the Fuehrer, as follows:

1. The mission of the Office for Racial Policies of the NSDAP is the unification and surveillance of all training - and propaganda -tasks concerning population - and racial - policies.

2. The Office for Racial Policies alone is authorized to regulate the training and propaganda regarding racial - and population policies, as well as making announcements to the press.

Accordingly, announcements concerning racial - or population policies, have to be cleared in each case through the Office for Racial Policies of the NSDAP;

3. The Office for Racial Policies of the NSDAP, as for as the NSDAP is concerned and in connection with the proper authorities, covers all measures realating to population - and racial policies. Accordingly, the Office for Racial Policies in the Nazi - Party Executive Board is constantly participate in all legislative measures of the government concerning this subject.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3322-PS

I, WALTER E. BRILL, 046341, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document. 3322-PS.

WALTER E. BRILL
046341

H1175-0178

PARTIAL TRANSLATION OF DOCUMENT 3385-PS
OFFICE OF U S CHIEF OF COUNSEL

Page 231 of Verfuegungen, Anordnungen
Bekanntgaben, Part I of 1943
IV Volume
Edited by the Party-Chancellory
Published by: Central Publishing House
of the N.S.D.A.P., Franz Eher, Successor
Munich

. . . . . .

Page 231 of
Document

COPY
Order No. 201/38
(Not to be published)

14 December 1938

Subject: Position of the Security Service (Licherheitsdienst) of the Reichsfuehrer SS (SD) within the Party.

1.

By my order of 9 June 1934, the Security Service of the Reichsfuehrer SS has been established as the sole political news and defense service of the NSDAP, its components and joint associations.

The SD-RF SS is also an establishment of the Party. The SS as a component of the Party is to keep up and carry on this establishment (Traeger dieser Einrechtung) as to its organization and personnel.

. . . . . .

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT 3385-PS

11 December 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document 3385-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1175-0179

TRANSLATION OF DOCUMENT 3401-PS
OFFICE OF U S CHIEF OF COUNSEL

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CB263
Schacknead
9/2/46

Excerpt from Article
"National Socialism and German Nationalism Abroad"
from
VOELKISCHER BEOBACHTER
May 24, 1934
page 2

NATIONAL SOCIALISM
IS AN IDEOLOGY

It takes hold of our fellow Germans and strengthens them in holding fast to the German nature and customs.

It spreads out beyond the borders of the state and even beyond the space occupied by the German people; it has already taken hold of parts of foreign nations. Racially conscious communities on the earth which are proud of their type are the best guarantee of respect among the nations for each other's rights. NATIONAL SOCIALISM RENOVATES THE WORLD'S THOUGHT ON THE SUBJECT OF STATE AND NATION, and thus will bring to our fellow Germans too, in their difficult struggle, not only alleviation, but SALVATION.

The place for the practical application of this principle is

THE FOREIGN ORGANIZATION
OF THE N.S.D.A.P.

which is directly subordinate to the deputy of the Fuehrer, Reichminister Rudolph HESS. During a visit to the individual sections of the Organization office at Harvestehuderweg 22, its leader, Gauleiter Ernst Wilhelm BOHLE, gave us, together with his individual co-workers, a survey of the duties and structure of the Foreign Organization, which has been working so hard in recent weeks and months that the echo of this persistent and conscientious work could even be clearly heard in Hamburg. The work of the Foreign Organization is literally extended over the entire earth, and the following slogan could with full justice be displayed in its work rooms on the Harvestehuder Weg in Hamburg: "My field is the world."

The Foreign Organization, under the leadership of Gauleiter E. W. BOHLE, who is aided by a large staff of expert and qualified co-workers, today includes

OVER 350 NATIONAL GROUPS
AND BASES OF THE
N.S.D.A.P. IN ALL
PARTS OF THE WORLD

and in addition to this takes care of a large number of individual Party Comrades in the most varied places. The establishment abroad of local groups of a Reich German political party was doubtless something new. It was possible to achieve such a beginning because of the fact that, since its beginning, this political party has had nothing in common with the usual concept of a party, but was rather a movement in the best sense of the world. In this connection it is worth noting that National Socialism began to establish its Foreign Organization ALMOST TWO YEARS BEFORE THE SEIZURE OF POWER IN THE HOMELAND, while Fascism did not set up its corresponding organization abroad until several years after the march on Rome. Just as today the fascio all'estero signifies the strongest asset of the Fascist state in its foreign work, the Foreign Organization of the N.S.D.A.P. will have to pass through a corresponding further development, in order to transmit to all foreign countries the nature and goal of the National Socialist Reich.

Objection is frequently made that for decades there have existed in foreign countries German organizations of the most varied types, which make the presence of local groups of the National Socialist movement superfluous. This

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can best be refuted by the experiences which Germandom abroad had had so far since the National Socialist revolution. Without in the least wishing to detract from the value of many valuable organizations of Germans abroad, it must be unequivocally stated that these groups were not in a position to carry on successfully the struggle for the reputation of the present Germany just because of the fact that they lacked an emotional understanding of the Third Reich, just as they lacked a knowledge of the principles on which our present state is built.

(Additional articles to follow).

- - - - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3401-PS

12 December 1945.

I, ERWIN COOPER, W.D. Civ., B-210751, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 3401-PS.

ERWIN COOPER
W.D. Civ.,
B-210751.

H1175-0181

GB 268

PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF U.S. CHIEF OF COUNSEL

175

Copy

The Reich Minister of Justice
9170 Ostgeb. 2II. 2 996.41

Berlin, 17th April 1941

To the
Reich Minister and Chief of the
Reich Chancellory

SUBJECT: Penal law against Poles and Jews
in the annexed Eastern territories.

Reference: Letter dated 28th November 1940 - RK 17 428 B -.
1 enclosure (file notice) to a2 - 1826.41

It has been my opinion from the outset that the special conditions prevailing in the annexed Eastern territories require special measures of penal law and penal procedure against Poles and Jews. When the special courts were introduced in the Eastern territories by the ordinance of the Commander-in-Chief of the Army, dated 5 September 1939, I immediately endeavoured to make these courts, with their particularly swift and vigorous procedure, a center for the fight against all Polish and Jewish criminality. Proof that I have succeeded in this is provided by the impressive statistical figures of the special courts for the first ten months of their activity in the Eastern territories. Thus, for instance, the special court at Bromberg passed death sentences on 201 defendants and sentences for hard labor for life on 11 defendants; 93 defendants were sentenced to 912 years of hard labor in all, averaging 10 years each. Only minor offences were prosecuted before the "Amtsgerichte" (ordinary minor courts). The "Strafkammern" (Criminal High Courts) have not been employed so far as possible, because their sentences are subject to appeal (Revision) to the "Reichsgericht" (Highest court of Appeal). I wished to avoid that any court which is not fully acquainted with the special conditions prevailing in the Eastern territories - and be it the highest court of the Reich - should decide in these matters.

The aim to create a special law for Poles and Jews in the Eastern territories was pursued further according to plan by the ordinance dated 6th June 1940. By this ordinance German Penal Law, which had been used in the Eastern territories already from the outset, was formally made applicable. In the sphere of criminal procedure the obligation to prosecute no longer applies; the public prosecutor instigates prosecutions only in cases where he considers the infliction of penalty to be in the public interest. The procedure for enforcing a prosecution (Art. 172 ff. of the Code for Penal Procedure) has been abrogated. For it seems intolerable that Poles or Jews should be able to force the German public prosecutor to instigate an indictment. Poles and Jews have also been deprived of the right to prosecute in their own names or to join the public prosecutor in an action.

In addition to this special law in the sphere of law procedure some special conditions have been included in Art. II of the introductory ordinance. These provisions were established in agreement with the Reich Minister for the Interior on the basis of needs which had made themselves felt. From the beginning it was intended to augment these special conditions in case of need. This need, which had become apparent in the meantime, was to be met by an executive and supplementary order, which was added to the original ordinance and which was referred to in the letter from the Fuehrer's deputy. This letter also mentioned the ordinances concerning the introduction of the law of extradition and of the law concerning the use of arms by authorized persons in the forest and wild life protection service, which however, are only loosely connected with the criminality of the Poles and Jews and were to serve merely the progress of general adjustment of law in the Eastern territories. As regards these two latter ordinances, as well as the executive ordinance concerning the law for the annulment of penalties and the ordinance concerning the penal register, I shall try to bring about an agreement with the deputy of the Fuehrer.

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PARTIAL TRANSLATION OF DOCUMENT R-96
Continued

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Later I was informed of the express wish of the Fuehrer that, as a matter of principle, the Poles (and I presume the Jews) are to be treated differently from the Germans within the sphere of Penal Law. After preliminary discussions with the presidents of the high courts of appeal (Oberlandesgerichte) and the presiding public prosecutors of the annexed Eastern territories, I drew up the enclosed draft concerning criminal law and procedure against Poles and Jews within the annexed Eastern territories and within the area of the former Free City of Danzig.

This draft represents an altogether special law both in the sphere of penal law and penal procedure. The suggestions of the deputy of the Fuehrer have been taken into consideration to a far reaching extent. No. 1, par. 3 contains a general crime formula on the basis of which any Pole or Jew in the Eastern territories can in future be prosecuted and any kind of punishment can be inflicted on him for any attitude or action which is considered punishable and is directed against Germandom. This provision is supplemented by No. 1, par. 2 which is already contained in the introductory ordinance, and which threatens the death sentence as the absolute punishment for any act of violence committed against a German because of his belinging to the German race. The cases under No. I, Par. 4, which are already contained in the introductory ordinance, are merely amendments, which perhaps would have been unnecessary in view of the new general crime formula. I have included them nevertheless, in order not to give rise to the erroneous opinion that the limits of criminal liability as defined in this draft are narrower than those of the law hitherto in force. Finally, No. II, makes it clear that, apart from everything a German renders himself liable to punishment. In addition, the regulation permits a far reaching application of the law (Par. 2. of the Penal Code) in tune with the requirements of the Eastern territories.

In accordance with the opinion of the deputy of the Fuehrer I started from the point of view that the Pole is less susceptible to the infliction of ordinary imprisonment. Therefore I had already taken administrative measures with the aim of keeping Poles and Jews separate from other prisoners and to inflict punishment on them in a more severe manner. No. III goes step further and replaces imprisonment, viz. the penal camp and the severe penal camps. Under these new kinds of punishment the prisoners are to be lodged outside prisons in camps and are to be forced to do heavy and heaviest labor. Further administrative orders are envisaged, concerning specialities in the sphere of disciplinary punishment (dark cells, transfer from penal camps to severe penal camps etc.)

The new kinds of punishment under No. III are applicalbe to all offences committed by Poles and Jews, even if the offence falls under a provision of the German Penal Code. On the other hand, No. III, Par. 3, makes sure that less than the minimum period of punishment and less than any obligatory punishment prescribed in any German criminal law may be inflicted if the offence was directed exclusively against the offender's own race.

The section concerning procedure contains first of all special provisions of the introductory ordinance already in force. But in future it will no longer be permissible for a Pole or a Jew, on whom sentence has been passed by a German court, to lodge an appeal against the sentence. He has no right to complain, nor may he apply for a retrial. All sentences should be open to execution at once. In future Poles and Jews may no longer challenge German judges as biassed; nor may they be put under oath. The conditions under which measures of compulsion may be used against them have been eased. It is also important that according to No. X Par. 2 the local higher courtdecides on applications for annulment on technical grounds (Nichtigkeits Beschwerdem); this will prevent any court not located in the Eastern territories from passing judgment in a case against Jews and Poles. For the rest No. XII gives both the court and the public prosecutor every freedom they can possible require vis-a-viz the "Gerichtsverfassungsrecht" (law concerning the constitution of the courst) and the Reich Law of Criminal Procedure.

It is the purpose of No. XIII to ensure the applicability of the special laws for Poles and Jews and of the abrogation of prosecution enforcement even in cases, where the Polish or Jewish offender, though domiciled in the Eastern territories, has committed an offence in some other part of the Great German Reich.

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A criminal law of this kind directed especially against Poles and Jews would not, in my opinion, restrict the freedom of action of the German authorities and officials; nor would the Poles and Jews take advantage of its issuance by making unjustified accusations or complaints against German officials. The penal law provides threats of punishment of such increased severity the it deterrent effect is assured to the strongest degree. Any hole in the law by which a Polish or Jewsishcriminal might escape, has been closed. As far as criminal procedure is concerned, the draft consittutes a clear expression of the political inequality of Germans on the one hand, and Bles and Jews on the other.

The introduction of corporal punishment, which the deputy of the Fuehrer has brought up for discussion, has not beenincluded in the draft, either as a form of criminal punishment or as a disciplinary punishment. I cannot agree to this type of punishment, because its infliction doesnot, in my opinion, correspond to the cultural level of the German people.

The main features of the criminal procedure proposed by the draft are greatest speed together with immediate execution of sentences; thus it will not be inferior to the procedure in courts martial. Those administering criminal justice will have the opportunity of inflicting even the heaviest penalties in every suitable case, and thus be able to cooperate actively in realizing the political aims of the Fuehrer in the Eastern territories.

I intend to submit the bill for approval to the Council of Ministers for the Defence of the Reich. Before so doing, I wish, however, to discuss the matter with you , Sir, personally, and to ask you to obtain the decision of the Fuehrer as to whether he agrees to the basic principles of the bill.

signed: Dr. Schlegelberger

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PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF U.S. CHIEF OF COUNSEL

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Copy

The Reich Minister of Justice — Berlin W.8, 30th June 1941

9170 Ostgeb/2 - IIa 2 1826.41

Express Letter

To the
Reich Fuehrer SS and Chief of the
German Police in the Reich Ministry
of the Interior.

Subject: Administration of Criminal Justice in the annexed Eastern territories.

Reference: Letter to the Reich Minister and Chief of Reich Chancellory, dated 16th May 1941 - II A 2 (new) No.127/41 173/1 and the letter addressed to me by the Main Office of Reich Security, dated 29th May 1941 - II a 2 (new) No. 205/41 - 176 - 7.

2 enclosures.

In the enclosure I transmit the following documents on which I would ask you to give your opinion at an early date:

1) draft of an ordinance concerning the administration of criminal justice against Poles and Jews in the annexed Eastern territories and the area of the former Free City of Danzig;

2) copy of my letter to the Reich Minister and Chief of the Reich Chancellory, dated 17th April 1941 - 9171 Ostgeb. 2 IIa 2 996/41 - giving the reasons for this draft.

The draft has now been supplemented by Article XIII concerning the procedure of courts-martial. This supplementary article is based on a decision of the Fuehrer, of which I was informed through a letter from the Reich Minister and Chief of the Reich Chancellory dated 27 May 1941 - Rk 7760 B; according to this decision the Reich Governor in the Reich Gau Wartheland is to be empowered to introduce courts-martial against Poles in his district.

In order to obtain a quick settlement of this urgent matter which is of importance for the war, I should be grateful if a personal discussion could be arranged. I ask for telephone call to fix the time for a conference.

Charged with the conduct of affairs

(signature)
no name

Reich Main Security Office
II A 2-No.342/41 - 173 -

Berlin SW 11, 11th July 1941
8 Prinz - Albrecht Street

(pencilled: Note on page 4 Kr.30th July)

Copy

Subject matter: Administration of Criminal Justice in the annexed Eastern Territories.

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1.) Note:

The ordinance draft, which was sent to us for consideration by the Reich Minister for Justice with a covering letter of 30th June 1941 (pages 161 ff. of the file), was discussed at an informative meeting of the competent officials of the Reich Main Security Office and of the Reich Civil Police Main Office, Reich Fuehrer SS - Reich Commissioner for the Consolidation of the German Race - took part in the discussions, because the invitation, dated 7th July 1941, arrived late.

The discussion had the following results:

I. The general lines of the provisions of chapter 1 (criminal law) and chapter 2 (criminal procedure) are to be approved. They correspond to the principles followed by the police in dealing with Poles.

It should however, be suggested to the Ministry of Justice to insert in Chapter 2, Paragraph XII, a minimum of legal guarantees for the legal procedure; this might be done by adding to the present version the following sentences:

"In any case however, the defendant should be granted a hearing, if need be with the help of an interpreter.

The names of the judges and of the defendant, the evidence on which the sentence is based, and the offence, the sentence with a brief opinion, and the date of the sentence should be taken down in writing in each case."

II. Chapter 3 (procedure under martial law) requires several modifications or clarifications:

1. The Reich Governors (Statthalter) are to be bound not only by the consent of the Reich Minister for Justice, but also by the consent of the Reich Minister of the Interior. This amendment is needed to safeguard the influence the police must have on introduction and procedure of martial law. Under the present provision, which requires only the consent of the Minister of Justice, there is the risk that the intended martial law becomes a martial law under the supervision of the administration of justice and not a martial law for the purposes of the police.

2. The Reich Governors must have authority to declare martial law uniformly for the whole area (Gaue) under their administration. The present wording (districts -"Bezirke") does not make it quite clear whether they have such authority.

3. The persons who are subject to the procedure under martial law should be the same as those to whom the other provisions of the ordinance refer. Therefore in Par. XIII Jews as well as Poles must be mentioned.

4. The jurisdiction of the courts-martial as stated in the bill is too narrow. They must be given authority:

   a) to pass judgment under martial law on all excesses, not only on more serious ones against Germans,

   b) to pass judgment under martial law, even on minor offences which seriously endanger the German reconstruction work because of their frequency.

The words "more serious" before "excesses" and before

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"punishable offenses", must therefore be deleted from the draft.

5. Confinement to a concentration camp is, by definition, not a punishment but a measure of precaution. The provision whereby the court acting under martial law may sentence an offender to confinement in a concentration camp must therefore be amended.

The courts acting under martial law need, however, the authority to punish by imprisonment - though in this case it is for the Secret State Police and not for the law administration to carry out the sentence. The present wording of Paragraph XIII, sec.2 must therefore be changed to read as follows:

"The penalties to be inflicted by the courts acting under martial law are the death penalty or imprisonment (penal camp). The execution of the penalty of imprisonment is the duty of the Secret State Police."

6. It must be made clear whether the Reich Governors are authorized to implement independently the provisions regarding the nomination of judges for the procedure of courts-martial, or whether the Reich Minister for Justice intends to reserve the right to withhold his consent for a declaration of martial law unless the Reich Governors refer to him any steps they take in these matters.

III. The present wording of chapter 4 (extension of jurisdiction and authorization) does not take into consideration that the police is authorized at present to inflict penalties for minor offences of Polish civilian workers within the territory of the Reich. This power is based upon an authorization granted to the Reich Fuehrer SS by the Reich-Marshal. The provision as drafted would therefore mean a deterioration of the legal position of the police in favor of the judiciary.

Provision must therefore be made for one of two alternatives:

a) either the competence of the police as defined hitherto, must be maintained expressly,

b) or martial law must be made applicable to Poles within the whole territory of the Reich.

The latter proposal is preferable because it should be the ultimate goal to make Poles subject to the jurisdiction of the police.

IV. The items mentioned under No. I - III are to be discussed by department II A 2 with the Reich Ministry of Justice. It should be ascertained to what extent the Ministry of Justice is prepared to meet the wishes of the police. Thereafter the draft embodying the final position of the police toward the Reich Minister of Justice is to be submitted to the Reich-Fuehrer SS. The draft is to be signed by all police departments who participate in the discussion.

Copies to

a) Main Office Civil Police, c/o Ministerial Counselor Dr. Daemper,

b) Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race,

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PARTIAL TRANSLATION OF DOCUMENT R-96
Continued

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c) Office III - III A 3)
d) " IV - IV D 2) of the Reich Main Security Office
e) " V - V A 1)

following my letter of the 7th July 1941 - II A 2 No. 205 VIII/41 - 176-7, for information.

by order:
signed: Neifeind.

---

certified (signed) Keller, secretary. (Stamp: Reich-Fuehrer SS and Chief of the German Police. The Chief of the Security Police and the SD (Security Service). In the Reich Ministry of Interior.

H1175-0188

PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF US CHIEF OF COUNSEL

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(Stamp of)
The Reich-Fuehrer SS, Reich Commissioner
for the Consolidation of the German Race
Received: 14th July 1941 4 W
File No.: COI/28R/5th Aug. 1940.

1) Dr. Bilfinger Office II V informs me on enquiry that the draft has been amended by agreement with the Reich-Minister of Justice and has been submitted to SS-Group Fuehrer Wolff for signature. The draft will be forwarded to the Reich-Minister of Justice and will be described as the final opinion of the Police.

We shall receive copy.

2) To be submitted again 19th August.

initialled: 30th July.

- - - -

Copy

The Reich-Fuehrer SS
and
Chief of the German Police
in the Reich-Ministry of
the Interior

S II A 2 No. 342/41 - 176.

Berlin SW 11, 1st August 1941
8 Prinz-Albrecht Street

(pencil remark: To (illegible) for information.
I have no objections against the proposals.
Signed: Dr. Kr 27th Aug.
c - 3/1-3)

To the
Reich Minister for Justice
Berlin, W.8.
Wilhelmstr. 65

Subject Matter: Administration of Criminal Justice in the Annexed Eastern Territories.

Reference : Express letter dated 30th June 1941 - 9170 Ostgeb/2 - II a 2 1826.41

With reference to the discussion held by our respective officials on 14 July 1941, I wish to make the following comments on the draft you have submitted:

Generally I agree to the draft and welcome the special conditions to which Poles and Jews are to be subject both with regard to criminal law and criminal procedure. The reintroduction of martial law in the annexed Eastern territories conforms with the wishes I have expressed several times.

I request you, however, to take into consideration the following specific points:

1. According to Paragraph XII the procedure is to be arranged by the court and the public prosecutor as they think fit in consideration of their duty. On principle I agree with this. However, in the earlier draft for a court-martial procedure which was worked out with your collaboration, a minimum of legal guarantees was provided for. This I would like to see preserved in future also. The present wording of Paragraph XII would result in an unusual situation whereby the rules for ordinary procedure would be less stringent than those for the proced-

H1175-0189

ure under martial law. Therefore, please amend the wording of Paragraph XII accordingly.

2. In Paragraph XIII (procedure under martial law) please provide for the consent of the Reich Minister of the Interior in addition to consent of the Reich Minister of Justice.

3. During the discussion of the bill by the officials concerned, it became clear that the Reich-Governors (Reichsstatthalter) should be authorized to declare martial law for any parts of their area as well as for the whole of their area. The present wording is open to doubt, I propose therefore the following wording:

"....for the area of his administration or specified parts thereof".

4. Although it may safely be assumed that in the future there will be no more Jews in the annexed Eastern territories, I am of the opinion that under present circumstances it is very urgent to provide martial law not only for Poles but for Jews as well. Therefore please insert in Paragraph XIII after the word "Poles" the words "and Jews".

5. Concerning the clause "and for other more serious offences which gravely endanger the German reconstruction work", please delete the word "more serious" so that martial law may be applied also to those cases which in themselves are not particularly serious but which might become a serious danger to the German reconstruction work because of their frequency, (e.g. smuggling), and which urgently require immediate and draconic action for purposes of intimidation.

6. So far, the Secret State Police alone imposes protective custody. Furthermore, portective custody is by definition not a punishment but a measure of precaution and education. Therefore please amend section 2 of Paragraph XIII to read perhaps as follows:

> "The penalty to be inflicted by the courts under martial law is the death penalty. The courts proceeding under martial law may, however, dispense with punishment and order transfer to the Secret State Police instead."

In this way due consideration would be given to the wishes of the Fuehrer and the aforementioned difficulties of terminology would be avoided.

7. I agree also to the extension of jurisdiction as provided in Paragraph XIV. But as you know, Reich-Marshal Goering, in his ordinance of 8 March 1940, has delegated to me the responsibility for the proper conduct of the Poles. He has authorized me to issue the legal and executive provisions necessary for this purpose. I have made use of this authorization by issuing the ordinances dated 8 March 1940 - S IV D 2 No. 382/40 - and 3 September 1940 - S IV D 2 No. 3382/40. These ordinances are also known to you. The present wording of Paragraph XIV does not make it quite clear whether this arrangement will remain unaffected. I note that the draft is not intended to bring about any change in this arrangement; I consider it necessary nevertheless, to make it quite clear by means of a brief remark in Paragraph XIV, that the aforementioned authorization granted to me by Reich-Marshal Goering and the ordinances issued by me remain unaffected.

By order:
Signed: Heydrich.

H1175-0190

PARTIAL TRANSLATION OF DOCUMENT R-96 (Cont'd)

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Reich Main Security Office
II A 2 No. 342/41 - 176 -

Berlin, the 11th August 1941

Copy

to Reichs-Fuehrer SS - Reich-Commissioner
for the Consolidation of the German Race
c/o attorney Dr. Kraeuter - or his deputy -
in Berlin

By order:

Signed Neifeind.

Certified (signed) Heybutzki, secretary.

Stamp of: The Reich-Fuehrer SS and Chief of the German Police in the Reich-Ministry of the Interior.
The Chief of the Security Police and the SD (Security-Service).

Stamp of: The Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race. B
Received: 14th August 1941.
File No: C - 3/1 - 3/1st Aug. 1941.

Submitted to Dr. Kraeuter for action 15 Aug. (initials).

CERTIFICATE OF PARTIAL TRANSLATION OF DOCUMENT NO. R-96

29 November 1945.

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. R-96. Partial Trans.

ERNST M. COHN,
Pfc, 33925738.

H1175-0191

EXTRACT TRANSLATION OF DOCUMENT R-139
OFFICE OF U. S. CHIEF OF COUNSEL

185

DOCUMENT A.

NATIONAL SOCIALIST GERMAN WORKERS PARTY

The Führer's Deputy
Chief of Staff

Munich 33, 12 July 1940
Braunes Haus
III/Dr.Kl.-Pu.
2610/0/103

The Reichsführer SS
Partymember Heinrich Himmler
Berlin, S.W.11.

Prinz Albrechtstr. 8

Subject matter: Introduction of the Civil Code in the new Eastern territories.

Dear Heinrich,

I am enclosing a copy of my letter of this day to the Reich Minister of Justice for your information.

I have asked my officials who are dealing with this matter to arrange for a preliminary conference in which the Gauleiters concerned, the Reich Commissioner for the Strengthening of German Race and Culture, the Chief of the Security Police and the Security Service and the Racial Policy Department should convene before the conference which will be called by the Reich Minister of Justice.

Heil Hitler!

Yours

(M. Bormann)

DOCUMENT B.

National Socialist German Workers' Party
Berlin-Wilhelmstr. 64

Munich-Braunes Haus

Copy

The Fuhrer's Deputy

12 July 1940
III/Dr.Kl.-Pu.
2610/0/103

The Reich Minister of Justice
Berlin W.8
Wilhelmstr. 65

Subject matter: Introduction of provisions of civil law in the annexed Eastern territories.

I refer to the several conferences of our experts and confirm that I question the wisdom of introducing the German civil law in the form you propose in the annexed Eastern territories. As I learned from my officials you share my view that many provisions of German civil law ought not to be applied to Poles and Polish legal relationships. I refer in particular to the provisions of family law, the law of

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succession, of real estate, of clubs and associations.

p.2) The clause suggested by your experts at the conference of reporters which has meanwhile been held: "Poles may not invoke provisions made solely for the protection of German Race and culture" is much too narrow. It is not sufficient to prevent an undesirable equalisation between Poles and German nationals.

Such a clause is questionable also because it puts upon the judge the legislative decision as to how to form political situations. Experience has shown that most of the judges are not able in their judgments to assist in the correct formation of political situations.

I have been told that the German courts apply German civil law, though it is not yet introduced in the Eastern territories, and treat the Poles in a way which should be reserved for German nationals only.

It is presumed that the endeavors to introduce German civil law in the Eastern territories will be increased.

I should like, in this respect, to refer to the experience which we had with the introduction of German criminal law in the Eastern territories.

It is therefore to be feared that judgments by German courts applying German civil law to Poles and Polish legal relationships will cause unrest among German nationals. In some cases the execution of judgments may even have to be prevented by police measures.

Such undermining of state authority is in my opinion absolutely inadvisable, particularly in territories with a large Polish population.

It appears to me necessary therefore that each and every legal provision which is to be introduced in the Eastern territories shall be examined separately as to how far its application to Poles may be advisable. Provisions whose results may be questionable should, as far as possible, not be introduced in the Eastern territories. Only those which are absolutely necessary for the safeguarding of justice should be introduced at the moment.

I would also consider it advisable not to order the introduction of civil law by way of Reich legislation but by decrees of the Reichstatthalters. The Polish minority law will be given its final shape only in stages, in accordance with experiences gained from time to time. When introducing German law in the Eastern territories I should therefore consider it advisable from the beginning to take into consideration the possibility of easy amendments and alterations.

I suggest a further conference of reporters be arranged for the examination of these questions to which, in addition to the Public Custodian East, (Haupttreuhandstelle), the experts of the Reichstatthalters, the Reich Commissioner for the Strengthening of German Race and Culture and the Chief of the Security Police and Security Service should be invited.

Heil Hitler!
The Deputy
signed M. Bormann
(M. Bormann)

H1175-0193

EXTRACT OF TRANSLATION OF DOC.R-139
OFFICE OF U.S. CHIEF OF COUNSEL

DOCUMENT C

Note

OI/28r/13.2.40 B 6.8.40

Subject: Application of Civil Law in the annexed Eastern territories.

(translator's note:

pp 1-2 refer to a preliminary conference held on the 2.8.1940 at Hess's Staff which is of no further interest).

Page 2--bottom of page: "there followed a conference in the Ministry of Justice at 10.30 a.m. in which about 40 persons took part, including:

Ministerial director Volkmar, in Ministry of Justice as Chairman.

Fechner, Judge in a Court of Appeal, as reporter.

President Hesse, for the land registry - departments of the Ministry of Justice.

p-3 Rexroth, Judge in a Court of Appeal.

Mabfeller, Councillor to the Ministry Department for Family Law.

Many other officials from the Ministry of Justice.

The presidents of the Courts of Appeal of Posen and Danzig.

Ministerial Director Klopfer.

Dr. Encke, Hess's Staff.

A representative of the Reich Minister for Economy.

A representative of the Reich Minister for the Interior.

Dr. Gramse, Councillor to the government for the Four Year Plan.

Lawyer Schubert, HTO (abbreviation for Haupttreuhandstelle Ost-
Lawyer Pfennig, HTO (Public Custodian East).
SS Obersturmfuhrer Dr. Beyer and two other representatives of the Reich Security Main Department, (RSHA).
"
Lawyer Gotz

Lawyer Virsich

Mr. Volkmar pointed out the lack of clarity, the variations and the territorial and substantive division of the legislation at present in force. For all practical purposes, German law was already applied in the Eastern territories so that the bill amounts only to legalizing the existing state of affairs. He then dealt with the objections of the Fuhrer's deputy. According to his view a special code for Poles could not be created at present because the political principles for the treatment of Poles were not yet clear and the preliminary work might require years. The Poles were already, for all prac-

H1175-0194

tical purposes, excluded from legal commerce and intercourse by measures of public law. Even the present bill relates only to the position of the Poles according to civil law and would not affect the restrictions of their legal position based on public law. If a Pole, despite the prohibitions of the public law had, with the consent of the competent
p.4. authority, acquired a piece of land, he could mortgage this land in accordance with the provisions of the civil code. The public law has precedence over the private law and the bill does not affect that. Finally, Mr. Volkmar referred to the fundamental clauses suggested of which two drafts are submitted.

(a) Poles may not invoke provisions made solely for the protection of German Race and Culture.

(b) If the application of the law would lead to consequences which are undesirable from a racial point of view then the law is to be applied only judiciously.

He would prefer (a) because (b) would endanger the rule of law and would burden the judge with responsibility for racial questions.

Klopfer stated that Reich Minister Hess, the Reichsführer SS and the four Gauleiters concerned unanimously rejected the bill. The treatment of the Poles would be dealt with by the Führer at the end of the week. The antiquated conception of territoriality in law must be overcome. A state's essential element is in human beings. The personal status, as had been partly the case in the legislation for Jews, should be brought to the fore, especially as the Reich territory is being extended and foreign nationals are being included also in the West. The Reich Minister of Justice had already introduced the German criminal law prematurely. Many complaints from the Eastern territories had already been made to Hess's Staff about impossible sentences. Similar grievances would also be caused in the present case. The judges would be the ones to suffer and the police would have to counter the measures of the court to a greater extent than in the pre-war Reich territory.

He predicts undesirable results not only in the spheres of family law, the law of succession and associations, but for example, also in the sphere of the law relating to labour and service contracts. In this respect the Ministry of Labor had raised objections. All contractual relations based on loyalty are impossible between Germans and Poles. Having regard to the different conditions in the various "Gaue" one should delegate the legislation to the Reichsstatthalters, in order to facilitate an amendment of the law. It would be best to leave things just as they were.

Volkmar spoke against partial application of the civil code by the Reichstatthalters. He emphasized that he would regard it as a return to old times if Reich law was again replaced by state law.

Klopfer replied that in Rome at the time of its peak a special law (jus civile) was in force for its citizens, another minor law for the colonials and no law for the slaves.

H1175-0195

The president of the court of appeal in Posen, Mr. Frohos, stated surprisingly that his Gauleiter and he himself were agreed that there were no objections against the bill concerning the application of the Civil Code. It would only legalize the instruction which he, in agreement with Greiser, had given when taking over his office i.e. simply to apply German law at short notice. Delay of the application strengthened the hopes of the Poles for a revision of the frontiers, because the present condition looked too much like a temporary situation and suggested indecision. He had instructed his judges that Poles were never equal to the Germans and that the principle of equality of men before the law was finished. A judge would be dismissed if, for example, he would give judgment for a Pole against a regional authority. He thinks that the general clause (a) would be insufficient and he would prefer the draft (b). In his opinion there was no sphere of law that was not political, not even the land-registry, the non-contentious jurisdiction, or the youth law. The Eastern territories were colonial territory, the Poles correspond to the colored people.

(Translator's note:
p. 6) Statements follow by the president of the court of appeal of Danzig, by Pfennig, by representatives of the

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Minister of the Interior and of the Minister of Economics, in support of Volkmar's theseis).
"Ministerialdirektor Volkmar declared thereupon that apparently all authorities - and what he considered particularly essential - the practicians from the Eastern territories, asked for introduction of the law, while it was reserved for the Deputy of the Führer to oppose these wishes of all agencies connected with the reconstruction of the Eastern territories.

Then SS Obersturmfuhrer Dr. Beyer and lawyer "Götz asked for permission to speak. SS Obersturmfuhrer Beyer (p.7) stated that the Reichsführer SS was also definitely opposed to the bill in its present form. The bill was based on out-of-date conceptions because it was based on the principle of equality before the law which was absolutely inapplicable to Poles.

Lawyer "Götz supported Dr. Beyer's and Ministerialdirector Klopfer's statements. He pointed to the contradiction that the presidents of the courts of appeal, on the one hand, approved the present legal position, the Minister of Justice, on the other hand, gave as reason for the urgency of the bill the difficulties and inconveniences arising out of the present position. Since the Fuhrer, as Klopfer had mentioned, would within a few days make a general decision about the position and treatment of the Poles, a postponement of the introduction of legislation for several months seemed appropriate or there should be a careful examination as to what individual legal sections could be introduced without any doubts.

The following discussion of the several subjects showed that nearly all subjects are doubtful, even the law of procedure. Then followed a lengthy discussion as to whether a Pole could bring an action against a German and whether Poles could be witnesses. Klopfer suggested that a special arbitration department could be created for claims of Poles against Germans to prevent Poles and Germans from standing on an equal footing before the judge.

The proposal of a partial application of the German code was withdrawn as objections were made in respect of nearly all legal sections. It was furthermore discussed whether it was possible to introduce the German law for Germans only and to leave the lawless position for Poles as it was. If this (p.8) personal status were introduced, the question of the treatment of legal relations between Germans and Poles would cause difficulties. The representatives of t he Reich Security Main Department seemed to prefer the opinion that legal relations between Germans and Poles should not be determined by legal methods but according to the concept of racial superiority (authoritarian relationship). Klopfer mentioned with regard to this that Poles who are sent as workers into the Reich should not be able to bring an action in the Labor Courts against their employers.

The Ministry of Justice is trying to compromise by proposing a new wording of the general clause, which was set out by Mr. Volkmar as follows:

"The law to be introduced is on principle to be applied only to German nationals, to non-German nationals only insofar as it does not lead to consequences which are undesirable from the point of view of racial policy." This general clause should, if necessary, precede (perhaps in the form of a preamble) and be emphasized as the dominating principle of the whole introduction of the German law. The exact draft will be

H1175-0197

sent to all present.

Mr. Klopfer was very satisfied with the result of the conference and thanked Messrs. Götz and Beyer for their intervention.

signed: Götz (?)

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DOCUMENT D. (Pencil Note:) III/109?
2610/6/103

21 August 1940

To
The Reich Minister
and Chief of the Reich Chancery
Dr. H. H. Lammers
Berlin W.8
Vossstrasse 6

Registered letter
Dispatched on
Aug. 21st 1940
(initial)

Re: Introduction of Civil Law into the incorporated Eastern territories.

The draft of an ordinance, submitted by the Reich Minister of Justice, provides for the introduction into the incorporated Eastern territories of Civil law, Commercial law, and the provisions for the administration of civil law which are in force in Germany proper. The Reich Minister of Justice considers it urgently necessary to issue the ordinance, since the present legal situation in the realm of the administration of civil justice in the incorporated Eastern Territories has led to frequent difficulties. As a rule the German Courts were not in a position to ascertain and apply the law which they ought to apply according to section 7, Decree of the Fuehrer concerning the Organization and Administration of Eastern Territories of 8.10.39.

initials

initials

IIIA for co-signature
M.B. 17/8

Therefore they were already basing their decisions as a rule on German law. There was considerable uncertainty as to the law applicable, and this particularly hampered economic reconstruction in the incorporated Eastern territories.

The Reich Minister of Justice is of the opinion that Civil law must be introduced for every person resident within the Eastern Territories without regard to race, since it could not yet be ascertained, in what respect the Poles ought to be subjected to special ruling. He thinks it would be sufficient to authorize the Judge by a general proviso, to disregard the application of German law, in cases where the application of German law to persons of non-German race would lead either to unreasonable hardships or to consequences undesirable from the point of view of racial policy. In such cases German law should be made to correspond to the particular situation. For the rest, the Reich Minister of Justice is of the opinion that the question whether the Poles should be subject to a special law was a matter of public law which did not touch civil law.

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I wish to object strongly against the ruling proposed by the Reich Minister of Justice. That kind of mind, which solves even the problem of the introduction of law solely according to territories and areas affected, but without considering the persons inhabiting them, is composed of ideologies which are no longer justified at the present time. Only Germans should be allowed to invoke German law, especially where they are obliged to live in a community with men of completely different racial qualities. This is why I do not consider it feasible to grant the persons inhabiting the Eastern areas equal status with the Germans in Germany proper by introducing German law. With regard to Poles we shall have to invent, not only for public law, but also for civil law,

(page 2)

21st August 1940
To the Reich Minister
and Chief of Reich Chancery
Dr. H. H. Lammers
Berlin W.8. Vossstr.6

a personal status accurately defining their legal situation. This status must follow them, even when they leave their residence, e.g. in order to be employed as workers in Germany.

It is impossible to allow Poles residing in the Eastern Territories to enjoy the benefits of German Civil Law, especially the benefits of the law of association, real property law, family law, law of inheritance, commercial law. I consider it inadmissible that a Pole should have the right to sue a German before a German Court, to testify against a German in a law-suit, and even, as the case may be, to enforce a judgment against him through the good offices of a bailiff. There are numerous other spheres of the civil law, which cannot even be ascertained at this early moment, in which the Poles will have to be subjected to separate treatment.

It is for these reasons that I consider it, in principle, inadvisable to introduce equality of law between Germans and Poles.

Nor are these scruples dispelled by the fact that the draft contains a general proviso, according to which the Judge is authorized to deviate from German law when the application of the German laws to Poles would lead to hardship or to racially and politically undesirable consequences. Even if the proviso were drafted in such a way as to permit elastic interpretation, it would not be certain that all these laws which are unsuitable for Poles will never be applied to them. The main objection is that in this way the Judge would be burdened with the responsibility for a political decision which ought to be for the legislator exclusively. The interpretation which the Courts would put on the general proviso would practically speaking develop a special law for the Poles; it seems only too probable that the final decision of the legislator might be prejudiced thereby. Even if introduction of such a general proviso might be called the easiest method for balancing the difficulties which are to be expected if the German civil law is introduced en bloc in the East, I am still unable to agree to it for reasons of policy.

H1175-0199

I do not think there will be difficulties if we refrain from introducing the civil law by legislation. The legal conditions, as they are presently application of German law to Germans, modified application of it to Poles - do not operate to the prejudice of the racial Germans residing in the Eastern areas. There exists indeed some uncertainty as to the law; but it operates exclusively to the prejudice of the Poles, whereas it rather benefits the racial Germans. The Germans cannot suffer disadvantages since the Judge applies German law with regard to them; they may even have advantages since the Judge is entitled, as the case may be, to deviate in their favor from the provisions of German law. He would no longer be able to do so, if the entire civil law were introduced without differentiating between Germans and Poles.

On the other hand I recognize the necessity for introducing various legal regulations-especially of a formal character- for the benefit of the Germans. But since the situation is different in every district, I do not think it advisable to introduce them by Reich legislation. We rather ought to authorize the Reich Governors and Provincial Presidents to introduce them by an ordinance and to decide on their own responsibility what rules are to be introduced and what date.

(page 3)

Since we were not able to come to an agreement with the Reich Minister of Justice, and since it is a question of great political significance to decide whether the law to be introduced is to provide equality between Germans and Poles, I should be grateful if you would submit this question as soon as possible to the Fuhrer for his decision.

Heil Hitler!
By order
(signed) M. Bormann

(Pencil:) resubmit at once to IIIC

DOCUMENT E.

September 2nd 1940
III/09-Ku

1) To the
Reich Minister and Chief of
Reich Chancery

Dispatch 2.9.40
Ku

Dr. H. H. Lammers

Berlin W.8

Vossstr. 6.

Re: Introduction of German civil law into the Incorporated Eastern Territories.

By letter of 21.8. I asked you to apply for the Fuehrer's decision on the question whether with regard to the Incorporated Eastern Territories the same civil law ought to be introduced for Poles and Germans equally. In the meantime I received a letter dated 14.8.40 from the Reich Minister for Justice, copy of which is enclosed and which you presumably have received as well.

H1175-0200

H1175-0201

Even by the statements in this letter my doubts cannot be dispelled against the treatment intended in this matter. In particular, I am supplementing my letter of 21.8 as follows:

The Reich Minister for Justice confirms that no special difficulties have resulted from the present legal situation, but this was solely the result of direct personal and administrative instructions given to the Courts, a method of procedure which could not be maintained for an indefinite length of time. On this point, I am rather of the opinion, that for the time being we cannot desist from the possibility of influencing the Courts in the Eastern Territories. If this draft became law, we should lose the possibility of directing the jurisdiction by administrative instructions to the courts; on the contrary it would be exclusively for the Courts to decide the exceptions from the application of German law to Poles. This is where I see a great danger for the further establishment of a special law for the Poles. Moreover I consider it inadvisable if we, merely in order to provide a "legal basis" for jurisdiction, create a ruling whereby the Poles receive in the first place and on principle equal rights with the Germans, whereas we are planning at the same time for legislative measures depriving them of the same rights. It does not matter on what kind of basis the Courts administer justice, but what matters is solely that we provide for judgments which are in every respect appropriate to the special conditions prevailing in the Eastern Territories. No special proof is needed, I think, for the fact that such a result can rather be expected if we leave the conditions as they are, than if we introduce rules of a general nature by which the Judge would be bound. True, the
P.2 Judge would be entitled by the general proviso, to deviate to a certain extent, in individual cases, from applying German law to Poles. Apart from the fact that in this way the judge would be burdened with a decision which rests with the legislator alone, he would no longer be in a position, after the introduction of German law, to refuse generally the right of the Poles to bring an action or to testify in a lawsuit, or to prevent an execution of sentence of a Pole against a German, to refuse the entry of real estate rights of a Pole into the land register, etc. Thus it is not correct to say that with regard to the non-German minorities the legal situation would remain the same as it has developed so far, even if the Ordinance were issued.

The fact that certain rules will have to be developed without delay, in the interest of economic reconstruction in the Eastern Territories, in no way justifies an arrangement such as is intended by the Reich Minister of Justice. The difficulties which make the issue of such rules a necessity, could be abolished equally well if the Reich Governors or the Provincial Presidents issued new rules of law. On the other hand, I should have no objections against introducing German civil law into the Eastern Territories provided it were only applicable to the racial Germans there. I do not expect that special difficulties would arise from such an arrangement. In any case the economical reconstruction, in which only German racials would be allowed to participate, would be favored thereby.

There is, I think, no particular necessity to enlighten the peoples in question on the legal situation at present in force by proclamation of the ordinance proposed by the Reich Minister of Justice. There will hardly be any doubt that, in any case, racial Germans are subject to German law, that there is a law in force for them which does not make their legal situation worse than that of the Germans in Germany. If

there should be any doubts, they could easily be lifted by publishing an announcement in the papers that German law is applicable to the legal relations of the racial Germans residing in the Eastern Territories. If there remains any uncertainty, it applies solely to the legal situation of the non-German races. Such uncertainty would continue with regard to the general proviso; for the rest, I see no cogent reason for abolishing it by general introduction of German civil law in the face of all the objections which I raised above.

I agree with the Reich Minister of Justice that the Poles must not receive a status which the political leadership does not want them to have, and that from the beginning the legislation must take into consideration the special conditions in the incorporated Eastern Territories. But the draft does not conform to these principles. I very much doubt that a Judge will ever be able to decide whether or not the application of German law "would prejudice the incorporation of the Eastern territories into Germany". As the Reich Minister of Justice himself emphasizes, the will of the political leadership must be the only deciding factor; this will must be communicated to the Judge; he is neither able nor competent to establish it.

It does not matter whether the rules concerning the status of the non-German races in the realm of administration of civil justice are part of civil or of public law, and whether therefore they belong to the competence of the Reich Ministry of Justice or not. If they belong to public law - which I very much doubt - they will have to be issued by the competent Ministry at the same time as the rules concerning civil law.

Neither is the problem solved by the ordinances concerning the administration and seizure of property formerly belonging to Poles, or by the rules concerning the Main Trustee Office East, nor by the decree concerning the reconstruction of economy in the Incorporated Eastern Territories, or by the decree concerning the administration of property belonging to nationals of the former Polish state. I consider it absurd, to give an example, first to force the German Judge to enter judgment for a Pole, and subsequently to nulify this judgment at once by confiscation or similar acts. Moreover there will not always be reasons for confiscation.

Nor is it always possible to counter the attempts of Poles to take out executions against a German by applying the law concerning the abuse of execution. This law is not applicable if what is intended is to prevent the execution of a judgment issued by a German Court immediately after it has been issued. In case the law should be applicable in such case, one might be justified in asking why then a judgment must be entered at all, if it is immediately to be nullified by the same court. Obviously it would be more advisable to issue rules from the beginning as to whether a claim may be adjudicated at all.

To the statements of the Reich Minister for Justice concerning the formation of special arbitration authorities I reply briefly, that in my opinion it would make a great difference, whether a Pole is entitled to sue a German, or whether an arbitration authority is interposed which would have to make preliminary enquires and which would have to carry out the necessary legal steps, as the case may be. I cannot see how the Courts could be in a position to prevent Polish residents from abusing their right to apply to the Courts.

H1175-0202

EXTRACT TRANSLATION OF DOCUMENT R-139
OFFICE OF U. S. CHIEF OF COUNSEL

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The Reich Minister of Justice has received a copy of this letter and of my letter of 21.8.1940.

Heil Hitler!

(initials)
By order (initials)
(signed) M. Bormann (initials)

1 Enclosure

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT R-139

1 December 1945

I, ENID M. STANDRING, P.O. W.R.N.S. 52012, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true extract of translation of Document No. R-139.

ENID M. STANDRING
P. O. W.R.N.S. 52012

H1175-0203

H1175-0204

Meeting of Gauleiters at Reich Chancellery 1935/36

H1175-0204A

GB255

H1175-0205

Party Day at Nuremberg 1936

H1175-0205A

GB255

H1175-0206

Compiegne - June 1940

H1175-0206A

GB255

H1175-0207

"Pioneer of Work" being conferred on Messerschmitt - 1941

H1175-0207A

GB 255.

GB 273
Cited 13/5/41

H1175-0208

Translation of 1866 PS.

Record

of the conversation between the Reich Foreign Minister and the Duce in the Palazzo Venezia on the 13th May 1941, in the presence of Count Ciano.

To begin with the Reich Foreign Minister conveyed the Fuehrer's greetings to the Duce.

He would shortly propose to the Duce a date for the planned meeting, which he would like to take place as soon as possible. As the place for the meeting he would probably prefer the Brenner. At the present moment he was, as the the Duce could well understand, still busy with the Hess affair and with a few military matters, but could be at his disposal after that for a meeting.

The Duce replied that he would agree with all the Fuehrer's proposals concerning the place and date of this meeting. That he was prepared to go to Germany, to meet him at the Brenner, or to arrange for the conversation to take place anywhere else in Italy.

The Reich Foreign Minister then said that the Fuehrer had sent him to the Duce, in order to inform him about the Hess affair and the conversation with Admiral Darlan about the Hess affair. He remarked that the Fuehrer had been completely taken aback by Hess' action, and that it had been the action of a lunatic.

Hess had been suffering for a long time from a bilious complaint and had fallen into the hands of magnetists and nature cure doctors who allowed his state of health to become worse.

All these matters were being investigated at the moment as well as the responsibility of the aides-de-camp who had known about Hess' forbidden flights. Hess had for weeks carried out secret practice flights in a M.E. 110. Naturally he had acted only from idealistic motives. His being unfaithful to the Fuehrer was utterly out of the question. His conduct had to be explained by a kind of mysticism and a state of mind caused by his illness.

The Reich Minister went on to say that Hess was undoubtedly convinced that England was facing imminent defeat, but that the English could not take the step of drawing the necessary conclusions.

Being sympathetically inclined towards England Hess had conceived the crazy idea of using Great Britain's Fascist circles to persuade the British to give in. He had explained all this in a long and confused letter to the Fuehrer. When this letter reached the Fuehrer, Hess was already in England. It was hoped in Germany that he would perhaps have an accident on the way, but he was now really in England and had tried to contact the former Marquiss of Clydesdale, the present Duke of Hamilton. Hess quite wrongly considered him as a great friend of Germany and had flown to the neighbourhood of his castle in Scotland. He had thus carried out his plan at the risk of his life. The Fuehrer who was naturally and personally deeply stricken by these events, took up a very severe attitude under the circumstances, demoted Hess immediately and stated that he would have Hess shot immediately if he returned to Germany. The investigation of the event was continuing, but it was quite clear that Hess had not acted out of lack of faithfulness towards the Fuehrer.

The Duce replied that he was also of the opinion that Hess was no traitor. From the political point of view he did not consider the results of his action serious. He was wondering what Hess intended to say in England. It was said that his first words after being found were to the effect that he had always had a great sympathy for England.

H1175-0209

Without failing to see that the psychological results of Hess' flight were not slight, one could nevertheless say that the prosecution of the war and public opinion in the Axis countries remained untouched by it. In 3 or 4 days the whole affair would gradually subside. The question arose as to whether anyone in Germany knew about Hess' attitude to England, and whether Hess had perhaps wanted to save England.

The Reich Foreign Minister remarked here that in Germany Hess had had supporters mainly among the _____(illegible) party members, but that now every German was wondering how it was possible that Hess could have done such a thing. The Fuehrer would want first to see in what way enemy propoganda would make use of this affair. Considering England's morale and its situation, Churchill could naturally not use Hess' peace idea as propoganda material; this would immediately cause trouble among among his own people. The British would probably rather direct their propoganda tactics towards making out that they regarded the whole event as a sign of discord and internal division and as an outcome of an allegedly difficult position of the Reich, and would also maintain that Germany would now no doubt have to make peace soon. If it should necessary, the Fuehrer would carry out xxx an energetic counter-attack against this propoganda and would, if necessary, summon the Reichstag, in order to clarify the whole situation there.

The Duce repeated his unworried view of the affair and remarked that to him also it seemed best that the whole truth should be told about the whole affair.

matter of the
Going on to the/talks with Admiral Darlan, the Reich Foreign Minister explained to the Duce that two subjects especially had been discussed:

1) the assistance which France could give in Syria for the support of Iraq, and
2) the facilities she could provide for German-Italian supplies to North Africa.

Darlan had agreed to deliver to Iraq certain quantities of arms and war materials out of the stocks stored in Syria under Italian control. Part of these arms would, no doubt, already be on their way to Iraq. Ambassador Rahn and a French official had flown to Syria and had submitted a directive of the Vichy Government to the local Government Commissioner, General Deuz, according to which he was to provide all the deliveries and other facilities recommended by the two delegates. Darlan had, furthermore, put landing places for German aircraft and stocks of petrol at their disposal.

At the same time, Ambassador von Papen had been recalled to Germany and been instructed, as he, the Reich Foreign Minister, could inform the Duce Confidentially, to endeavour to obtain from the Turks permission for the secret passage of arms for Iraq through Turkish territory.

According to the impression he left, Darlan would certainly do all that was possible to help the AXIS. Although, of course, one could not look into his heart, he yet definitely appeared to be an enemy of the English.

Should a large-scale transport of arms reach Iraq it would be possible to move airborne troops into the regions, who could then advance against the British with the material found there and who could, under certain circumstances,, attack Egypt from the East from Iraq.

The Duce stated his point of view on the Iraq question:

1) one must definitely help Iraq, as a new front against the British would be created in this way and the indignation, not only of the Arabs, but also of the great number of Moslems would be aroused. Already the Grand Mufti had summoned the Arabs of the world to a holy war against England. In answer to an interpellation by the German Foreign Minister, the Duce declared that he ascribed a certain importance to these events in any case.

H1175-0210

2) It would be necessary to get possession of Crete and Cyprus (the "anteroom" of Syria). If one could then obtain, from the French, permission to land troops and 'planes in Syria, the Axis powers' help to Iraq could be very substantial. The Italians had already prepared five planes, which would proceed to Baghdad via Rhodes, in order to transport there 400 machine-guns, as well as 20 anti-tank guns. In addition, 12 fighter planes were ready for action.

Should the passage of arms through Turkey prove impossible, one would have to march against England from Syria. The great advantage here lay in the 100 km stretch of desert which had to be overcome in the event of an attack on Egypt from Syria, as compared with the 500 km stretch of desert in the case of an attack on Egypt from the West.

In answer to an interpellation by the Reich Foreign Minister as to how long Iraq would be able to hold out against the British, the Duce replied that the Head of the Iraq Government had declared that he could hold out his own against the British, provided only he received some war material. If, however, he received no aid, opposition would, in the Duce's opinion, be overcome by the British in 3 or 4 weeks. He was also wondering whether the de Gaullist movement in Syria would not perhaps put difficulties in the way of French assistance. The Reich Foreign Minister replied to that that Darlan appeared convinced that he could carry out the business in Syria as planned.

With regard to Tunis, the Reich Foreign Minister, reported on the purchase of lorries and the recent concession that these lorries could be sent to Tripolitania with freight. Darlan had agreed to place an Algerian harbour, Baume, at their disposal for the unloading of the materials transported by sea, (as these things could be carried out more easily in Algeria than in Tunis). The Reich Foreign Minister also mentioned, in this connection, that Darlan had told him that he would like it, for personal reasons, if lorries were sold to Germany only. Should Italy wish to obtain such vehicles from the French, he proposed that the sale should first take place to Germany, and that the trucks should then be given by the Reich to Italy. The Duce and Count Ciano agreed to this procedure.

In reply to the Duce's question as to what Germany had conceded to France in exchange for these concessions, the Reich Foreign Minister pointed to the lowering of the occupation costs from 20 to 15 millions which, although it had not yet been definitely fixed, was expected, as well as to certain facilities with the regard to the Line of Demarcation. Further the rearming of some torpedo boats.

The Fuehrer had laid down as a principle that France could be granted facilities to the extent to which she on her part made the war against England for the Axis easier.

The Reich Foreign Minister answered the Duce's question on as to whether concessions had been made regarding French prisoners of war in the negative and mentioned that the Fuehrer had first of all reminded Darlan of how the German prisoners of war had only been released in the year 1920, when the World War had already been over a long time.

The Reich Foreign Minister further pointed out that he had suggested to Darlan that if France should now grant facilities for the continuation of the war against England, such an attitude would be taken into account when the peace was signed. Furthermore he had stressed to Darlan the necessity that France choose now, and place herself unambiguously on the side of the Axis. Germany had certain wishes concerning naval bases in Morocco for the maintenance of her submarines and surface vessels. If France agreed to that, she (Germany) would allow her some destroyers to arm, as she had long requested to do. Beyond this, Germany did not, for the moment, anticipate assistance from France on a larger scale, just as she did not expect the possible assistance of the French Fleet against England.

It had been made clear to Darlan that in future the Axis powers would be the decisive centre of power in Europe and that France would have to toe the line in this respect.

H1175-0211

It was also pointed out that France must, of course, count on having to make concessions in the Mediterranean in the peace treaty; the Italian demands were indeed known to them. She might, however, receive compensation for the concessions elsewhere, e.g. in Africa, at the expense of England.

In a private tête-à-tête conversation, Darlan declared to the Reich Foreign Minister that he wsihed to assist the Axis powers against England under all circumstances, after the Reich Foreign Minister had analysed to him the three possibilities which offered themselves to France, namely, that France could either work against Germany, in which event she would be destroyed, or she could adopt a waiting attitude, which, however, would also be to her detriment. Finally she could give clear evidence of her will to cooperate with the Axis, and would then receive an honourable position amongst the peoples of Europe..

The Duce replied that there were two camps in France, those who wanted to wait, and those who were in favour of collaboration. When the Yugoslav campaign began, people in France had hoped that it would end unfavourably for the Axis. The opinion of French politicians was beginning to waver. Typical of the trend of public opinion was the fact, that in those days the monument of King Alexander of Yugoslavia in France had been decked with flowers by the population. But when the French saw how quickly Germany were victorious in the Balkans, they immediately turned round towards collaboration again. In Vichy the majority belonged to the camp that wanted to await events. Count Ciano here added that the only difference between Vichy and Paris was that in Paris people were saying: "Let us hope the British win," whilst in Vichy people were saying, "Let us hope those British swine win". To this the Reich Foreign Minister added, that of course chauvinists continued to exist in France and would have to be weeded out according to a plan yet to be laid down. In his opinion Pétain was an old fox, whose memory deserted him just at the moments when it best suited him. A few days before, and in connection with the invitation to Admiral Darlan to come to the Berghof ((trans. note - Hitler's residence in Berchtergadan), he had written a letter to the Fuehrer, which factually contained nothing of importance, but which nevertheless indicated that in France people were gradually becoming more and more certain that the war was finally lost. It was the Fuehrer's opinion that final victory against England must under all circumstances be achieved. For this purpose he wanted to obtain from France a maximum of facilities, without in any way binding himself. The French questions would be dealt with on this basis, and it would now have to be seen how far Darlan was prepared to go along this road. But, as already stated, France would only be granted concessions in proportion to facilities for the battle against England. When the French would participate on a large scale in the battle against England was still undecided.

To this the Duce remarked that France could give many small, but very important bases to the Axis. In this connection he stressed the fact that France always drew closer to the Axis when the Axis gained a victory. But as soon as things were not making any proper headway, she made eyes at England and the United States. The latter, particularly, would have to be watched closely in this connection. The Reich Foreign Minister agreed with this and remarked that if France was to attach herself in any way to the Axis organisation, this fact would make a deep impression on the United States.

The Duce agreed with this conception, and referred in this connection to the policy, expressed by the Fuehrer, of the unity of all Europe against England. Russia and Spain were alone absent from this united front. Serrano Suner had actually sated that Spain would march after this year's harvest. But this seemed to him to be extremely doubtful. To this the Reich Foreign Minister remarked that at the beginning of this year Franco had unfortunately left the Axis completely in the lurch. This he had to note with regret again and again. If he had cooperated at that time, Gibraltar would today not be in the hands of the British, and the Spanish people would probably have far more to eat than now, when alms from England and America could not save them either.

The Duce returned to his remark concerning the united front of Europe against England and the two countries, Spain and Russia, that were absent from it, with the remark that, to him, it seemed that it would be advantageous if a policy of collaboration with Russia could be carried out. He asked the

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Reich Foreign Minister whether Germany excluded such a possibility, i.e. collaboration with Russia. The Reich Foreign Minister replied that Germany had treaties with Russia, and that the relations between the two countries were in other respects correct. He personally did not believe that Stalin would undertake anything against Germany. But should he do so, or should he carry out a policy that was intolerable to Germany, then he would be destroyed with 3 months. - The Duce agreed to this. - The Fuehrer would certainly not look for any quarrel, but he had nevertheless taken precautions for all eventualities. He had in no way come to any decision, but as a result of certain occurrences and want of clearness on the part of the Russians, he had become suspicious. Thus, for example, the Russians had strengthened their forces along their Western Frontier, which of course caused Germany to reinforce her troops too, but only after the Russians started it.

But Russia would never be a problem that could have any influence on the final victory against England. She would never be able to interfere with Germany, for Germany had such a large number of troops available that she could easily deal with any eventuality.

The Duce then enquired whether Germany was not receiving deliveries of raw materials from Russia, whereupon the Reich Foreign Minister mentioned the figures 1 million tons of oil and 1½ million tons of corn, and added that these deliveries were coming in relatively well.

During the further course of the conversation, the subject of Japan, and in particular the Japanese-American exchange of opinions, was touched upon. In this connection the Reich Foreign Minister stressed the fact that the principle that Japan shared a common destiny with Germany and Italy had been so clearly understood by the Japanese that he (the Reich Foreign Minister), did not think Japan would pursue a policy which would not in the end align itself once more with the policy pursued by Germany and Italy. In this connection the Reich Foreign Minister referred to Matsuoka's remarks that he was forced into frequent manoeuvres for reasons of home politics, and that on occasion he might be forced to do things that would not be easily understood in Germany. At any rate he (the Reich Foreign Minister) trusted Matsuoka, although of course he could not know what was going on inside his heart. It was unfavourable that the discussions with Roosevelt were being conducted via Admiral Nomura, for at heart Nomura inclined rather towards the Anglo-Saxons. Matouska had, for the time being, made the following further enquiries :

1) Whether the United States were willing to enter into an undertaking not to enter into the European conflict, and
2) What was the attitude of the United States on the problem of the Philippines.

If against all expectations, Japanese policy should follow a course which does not correspond with the spirit of the Tripartite agreement, great opposition would certainly arise all over Japan and Ambassador Oshima would probably become the soul of such a real revolution. But these affairs should be handled carefully, and we should avoid creating unnecessary difficulties for Matsuoka.

The whole affair shows that Roosevelt is beginning to get alarmed, probably because he is gradually realising that, in case of warlike complications, he can accomplish nothing, because of America's bad armament position, and therefore wishes to keep his back free.

The Duce remarked, in this connection, that it would without doubt be favourable to Germany, and Italy if Matsuoka were in this manner to prevent the United States entering the war. ~~xxxx~~ On the other hand, the motive of his actions could, of course, also be Japan's desire to keep out of the war herself.

To that, the German Foreign Minister remarked that, if a forcing hand were played and it were laid down that the American system of protecting convoys meant war, the Americans would most probably hesitate, because American rearmament was the biggest bluff in the world's history.

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In this connection the Duce referred to the split which had appeared in the United States and quoted speeches by Hoover and Lindbergh as the most prominent opponents of Roosevelt's policy. As against this, the Jews and their propoganda were so strong that they had brought the whole of America under their influence. But if in a country a War party fights against a Peace party the War party usually wins, because war is much nearer the soulf of man than peace.

The German Foreign Minister replied that the same naturally went for Japan as well, and that it was his conviction that sooner or later Japan would enter the war on the side of the Axis to exploit the opportunities offered. Anyhow he was absolutely certain that Japan would meet her treaty obligations.

The Duce went on to speak about Turkey, which he called Germany's and Italy's trump card. He asked the German Foreign Minister whether he believed that Turkey would go with Germany and Italy.

The German Foreign Minister replied that Germany was in the act of trying to influence Turkey in this sense. The preliminary conditions were favourable, in so much as it was not in Turkey's interests to let great masses of English troops assemble in Iraq, so that Germany hoped to be able to draw the Turks over to her side. A certain improvement in the attitude of the Turkish press could already be noted.

Later on in the discussion the German Foreign Minister spoke about a great intended propoganda drive in the British Empire, with the motto that the Axis would support the liberation of all peoples oppressed by the British. In this connection he mentioned the presence in Germany of the Indian Nationalist leader - Bose - news which the Duce received with surprise and great interest. The Duce agreed to this kind of propoganda.

In conclusion, the German Foreign Minister explained the plans according to which he intended to employ Bose for Indian propoganda and he emphasised that the developement of any antagonism between Bose and Ghandi should be avoided. Besides, Ghandi had written a very good article against the British a short while before.

In conclusion, the Duce mentioned in this connection that Italy was in contact with the Fakir of Ipi and was attempting by means of large sums of money to get him, as well as the Grand Mufti, to carry on some activity in the interests of the Axis. Even if these actions were not very extensive, they would nevertheless create some unpleasant difficulties for the English.

When parting, the possibility of having another discussion next morning shortly before the return flight of the German Foreign Minister, was left open.

This discussion took place in a very cordial spirit.

FUSCHL, the 14th May 1941.

SCHMIDT.

INTERNATIONAL MILITARY TRIBUNAL

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